



City of
Norwood
Payneham
& St Peters

CHIEF
EXECUTIVE'S
OFFICE

28 February 2020

Mr Michael Lennon
Chairman
State Planning Commission
By Email: DPTI.PlanningReformSubmissions@sa.gov.au

Dear Michael

PHASE 3 - DRAFT PLANNING & DESIGN CODE SUBMISSION

Thank you for providing the Council with the opportunity to submit comments on Phase 3 of the draft *Planning & Design Code*.

The replacement of every Council Development Plan with the *Planning & Design Code* (the Code) is a significant undertaking. Although this reform is a legislative requirement through the *Planning, Development & Infrastructure Act 2016* (PDI Act), it is of no surprise that Local Government has significant concerns regarding the loss of detailed local policy and its replacement with a 'one-size-fits-all' approach to policy and zoning. For many councils, including City of Norwood Payneham & St Peters, the only representation of their current policy content in the draft Code relates to 3 numeric provisions expressed in the Technical Numeric Variations (TNVs) and the Historic/Character Area Statements, both of which fall well short of providing the same comprehensive policy guidance, context and detail to architects, designers, developers and property owners, compared to the bespoke policies, desired character statements, concept plans and tailored zones and policy areas which are being replaced.

These simplistic policy outcomes in the draft Code are not consistent with the *Blueprint for South Australia's Planning & Design Code Introductory Paper* (2018) in which the Commission stated that it:

"...did not want to see positive policy discarded when drafting the Code and acknowledges the importance of policies that help implement the vision for local areas".

As you are aware, much of this existing positive, locally-responsive policy has been discarded in the transition to the Code, resulting in a loss of planning direction and vision for local areas. The fact that the Commission has deviated significantly from its stated position (as set out above) which recognised local policy and context, is a concern which cannot be left unanswered or at the very least unjustified.

Contrary to earlier advice that Phase 3 consultation would occur in an informed and integrated ePlanning system, due to the size and scope of the draft Code in the 'hard copy' format which has been used during consultation, the Council has not been able to address every policy and classification table, particularly given the many omissions and errors which are contained in the draft Code, only some of which were published at the end of December 2019 (3 months into the consultation process). The Council's submission therefore primarily addresses high level concerns, such as:

- consultation challenges (including the need for re-consultation);
- extensive loss of local policy;
- change in zone policy intent and spatial application (including land use distribution and centres hierarchy);
- heritage and character policy;
- building height policy;
- environmental and flooding policy; and
- ePlanning and functionality of the Code.

175 The Parade,
Norwood SA 5067

PO Box 204
Kent Town SA 5071

Telephone
8366 4555

Facsimile
8332 6338

Email
townhall@npsp.sa.gov.au

Website
www.npsp.sa.gov.au



100% Australian Made
Recycled Paper

Community
Well-being is...
Social Equity
Cultural Vitality
Economic Prosperity
Environmental
Sustainability

The Council's submission is accompanied by several attachments which provide a greater level of detail of the policy analysis and comparison of policies which the Council has undertaken. It is expected that reviewing and addressing all Phase 3 submissions will be a significant challenge and it is obvious that many of the necessary changes (including those identified in the December Update Report) are significant in scope and on-ground impact, requiring the need for considered discussion and collaboration between the Commission and councils, affected property owners and local communities. To achieve this collaboration, there needs to be an open dialogue which includes justification of the proposed new policies and an acceptance of the concerns which are being raised.

In this respect, the Council is disappointed that the collaborative process with Local Government, as set out in the Collaborative Work Program that was agreed between Senior Council and DPTI staff in March 2018 and described in the *Guide to Transition*, did not occur and engagement therefore has not been fit for purpose, informed or otherwise inclusive.

In seeking to overcome the gaps in policy, errors and new policy, the Council has invested significant resources, since the release of the Code on 1 October 2019, in attempting to understand, compare and provide suggestions and solutions for improvement. It is respectfully requested that a greater level of engagement and involvement now be established to address how the Council's concerns (and indeed the concerns generally which have been raised) on the draft Code can be overcome and a settlement agreed to. To overcome this, the Council requests that a response be provided to the Council's submission which outlines what issues will or will not be addressed and importantly why they will not be addressed, in the interest of genuine, transparent, and informed consultation.

The PDI Act requires a State-wide Code, but it does not require the extensive standardisation and generalisation of development policies which has been proposed by the Commission in the draft Code. The pursuit of this un-mandated strategy is what has created an unresolved and unworkable document and the ongoing concerns which have and will no doubt continue to be raised. The Council wholeheartedly shares the Commission's stated view that positive policy must not be discarded and that the policy vision for local areas must not be lost in the transition. This, however, is not what has occurred.

The Council's desire to retain local policy and context does not come from a place of pride, preciousness or political whim. Rather, it is a desire to continue delivering good development outcomes through a policy framework which has been and which needs to be, carefully tailored to the local environmental, economic and social needs of all stakeholders. Why should every suburb look the same in the interests of pursuing consistency. Uniqueness and context is what makes great cities interesting and it is how modern cities and economies differentiate themselves. The question therefore is why is the Commission pushing this un-mandated objective of sameness when we should be respecting what makes South Australia unique and allowing new development to respond to these strengths. .

An opportunity remains for an improved use of subzones, concept plans and other policy mechanisms to transition more Development Plan content and the Council looks forward to working collaboratively with the Commission to achieve a Code which delivers a planning system and development outcomes which are in the best interests of the community.

Again, thank you for the opportunity to provide comments on the Planning and Design Code. The Council looks forward to the Commission's response to the issues and concerns which have been raised and to working with the Commission to resolve these issues and concerns.

Yours sincerely



Mario Barone FSM
CHIEF EXECUTIVE OFFICER

CITY OF NORWOOD PAYNEHAM & ST PETERS

PLANNING & DESIGN CODE (PHASE 3) SUBMISSION

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

Telephone 8366 4555
Facsimile 8332 6338
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au



City of
Norwood
Payneham
& St Peters

Contents

| | |
|--|----|
| EXECUTIVE SUMMARY | 1 |
| REQUIRED IMPROVEMENTS TO THE CODE..... | 3 |
| Delayed implementation required to ensure Code content and stakeholder awareness and support for Code is secured | 3 |
| Local Government Input and Community Engagement on the Code is inadequate..... | 3 |
| Required Changes to Zone Allocation to preserve policy intent | 7 |
| The Draft Planning and Design Code is incomplete | 20 |
| Policy Loss from the City of Norwood Payneham & St Peters Development Plan | 20 |
| Change of policy Intent in Code Zones - compared to City of Norwood Payneham & St Peters Development Plan | 27 |
| Land Use Distribution | 27 |
| Residential Zones | 27 |
| Subzones | 27 |
| Local policy content has not been retained in the Code. | 28 |
| Policy Change in the Code – Heritage and Character | 39 |
| State and Local Heritage Place Overlay..... | 39 |
| Historic Area Overlay | 43 |
| Character Area Overlay..... | 45 |
| Practice Guideline – (Interpretation of the LHP, HAO and CAO) | 47 |
| Policy Change in the Code – Building Heights | 47 |
| ‘Medium-rise’ development..... | 47 |
| Absence of building height policy | 48 |
| Expansion of Building Envelope Policy..... | 50 |
| TNVs in Residential Zones | 51 |
| Update Report..... | 52 |
| Policy Change in the Code – Urban Corridor Zone | 52 |
| Building Envelope Policy..... | 52 |
| Significant Development Sites..... | 53 |
| Key Development Areas | 54 |
| Concept Plans..... | 54 |
| Desired Character Statements | 54 |
| Policy Change in the Code – Non-residential development and zones..... | 55 |
| Centres hierarchy not reflected in zones | 55 |
| Activity Centres, Commercial and Non-residential Structure | 55 |
| Lack of unique focus in commercial zones | 56 |



| | |
|---|----|
| Bulky Goods and other retail development | 56 |
| Policy Change – Environmental Policy in the Code..... | 56 |
| Stormwater and Flooding Risk with reduced Code policy | 56 |
| Private Open Space (POS)..... | 57 |
| Tree planting | 58 |
| Changes to Regulated and Significant Tree Policy | 59 |
| Other Significant Code issues | 60 |
| Various Policy Issues..... | 60 |
| Sloping Land Overlay | 60 |
| Code Policy is complex and unlikely to streamline development assessment..... | 62 |
| Functionality of ePlanning..... | 62 |
| DPF vs DTS | 62 |
| Envisaged land uses & Table 3 – Performance Assessed Classification Table | 62 |
| Consents in any order | 62 |
| REQUIRED CHANGES TO MAPPING | 63 |
| Concept Plans..... | 63 |
| Zone boundaries..... | 63 |
| TNV Errors..... | 63 |
| LAND USE AND ADMINISTRATIVE DEFINITIONS | 64 |
| SUMMARY AND RECOMMENDATIONS | 64 |
| ATTACHMENTS..... | 66 |

EXECUTIVE SUMMARY

The City of Norwood Payneham & St Peters recognises the enormity and complexity of the complete and major reform by the State Government of planning legislation, policies, planning authorities and electronic policy (e-Planning) in South Australia. Given the scale and importance of getting the State's critical planning policy into a form that is suitable as a replacement for Development Plans, the Council is advocating that the commensurate level of resources, timeframe, investigations and collaborations, be applied to this major undertaking.

The City of Norwood Payneham & St Peters is very concerned that the *Planning and Design Code* introduces significant changes to, or removes, existing planning policies which are contained in the City of Norwood Payneham & St Peters Development Plan. The Code has been developed in the absence of the necessary investigations to justify the significant removal of local policy content nor has it been undertaken in genuine "collaboration" with Local Government as previously committed to, resulting in a Code that is not worthy or capable of replacing current Development Plans to ensure high quality and sustainable urban form and development outcomes.

The Council is unable to offer its support for a document that is not complete, not available in its intended electronic format, contains errors and omissions and is unable to be fully reviewed or tested.

The Council's review has identified a number of fundamental issues regarding the transition of zones and general policies and detail of specific zones which are sought to be reviewed and amended by the Commission. The Code is a large, complex and complicated document and its development and introduction has been so compromised to the extent that the proposed changes are not able to be readily understood by professional practitioners, property owners, developers and the community. Many important policy details (such as accurate flooding policy and maps, public notification, building heights, retail policy etc) at this point, are not available for review.

The Council's ongoing commitment to ensuring good planning outcomes for its City and its citizens has been demonstrated over the last four (4) years through its constructive feedback throughout the reforms process. This is supported by the Council's request to not introduce a *Planning and Design Code* until such time as the Code content is truly reflective of Local Government collaboration, community awareness and support, as was originally advised by the Commission for the transition process.

This submission identifies the key issues which have been identified by the Council and desired solutions, with the consistent feedback that the Code requires far greater time, attention and detail in getting the important, but complex, local planning policy settings right. This level of detail and input from local government appears to have been compromised in the haste to release the Code.

The submission is supported by the following detailed discussion as well as the attached analysis tables and recommendations, which provide a comparative assessment of road-testing against the existing and proposed policy criteria (to the extent possible without the required ePlanning system).

The Commission's attention is drawn to the qualifying statement that this analysis has been highly compromised, and risks the emergence of further policy risks, due to:

- no prior genuine collaboration between the Commission and Local Government on how Development Plan policy would transition into the Code;
- delivery of draft Code in paper format not integrated in ePlanning format as originally intended;
- complexity and significance of the task of reviewing the draft Code (particularly given the number of errors which it contains);
- complexity of changed legislation and gaps in information about how aspects of the legislation interact with the Code;
- significant errors and gaps in policy;
- inaccuracies in the mapping and translation of current parameters to Technical and Numerical Variation (TNV) provisions; and

- changes that occurred mid-way through the consultation process, including the release of a Code Update, revised Classification Tables, Historic Area Statements and Character Area Statements

The Council's review therefore cannot be taken to be a full and comprehensive analysis of the impacts of the Code, nor a complete set of recommendations on how the Code should or can be amended to ensure it is 'fit-for-purpose'.

The Council recommends that the Code not be applied to the City of Norwood Payneham & St Peters until:

1. There has been a full and comprehensive analysis of the widespread impacts of the proposed changes, advice of the impacts to affected stakeholders and confirmation of suitable policy tools (eg. policy revision, sub-zones, TNVs, concept plans) to overcome the significant changes to current policies as documented in this submission.
2. The State Planning Commission has fully collaborated with the Council to address the errors, omissions and inconsistencies identified during the current consultation process.
3. The "Informed and Transparent" principle of the *Community Engagement Charter* is demonstrated by providing visibility of the missing information from the Code which to date has not been made publicly available.
4. The State Planning Commission has undertaken a further round of public consultation on the draft *Planning and Design Code* incorporating post-consultation changes, through an Engagement Program which is designed to provide all affected stakeholders (including property owners) with full details of how the Code will affect specific locations.
5. The Council has been provided with the opportunity to properly test the effect of the proposed Code in the ePlanning system (as originally proposed for in the announced transition process).
6. Commence genuine collaboration with Local Government to amend the *Planning and Design Code* to incorporate design outcomes that are tailored to address local character needs (as stated in the *Blueprint for South Australia's Planning and Design Code*).
7. Comprehensive Historic Area Overlay policy is developed and all existing Contributory Items are transitioned into the first generation of the *Planning and Design Code* as recommended by the Environment Resources and Development Committee of Parliament in the *Heritage Inquiry*.
8. Local Government has been provided with adequate time to prepare for the full impact of the changes, including the considerable integration which will be required in order to maintain required business operations and service to the community.

REQUIRED IMPROVEMENTS TO THE CODE

Delayed implementation required to ensure Code content and stakeholder awareness and support for Code is secured

The narrative delivered as part of the first version (Generation 1) of the Code was originally stated in supporting documentation as being primarily a transition of existing policy, with a limited number of notable exceptions.

The Council's review of the Code has highlighted numerous significant zone and policy changes which is contrary to the stated objective of retaining the same policy intent as currently available through Development Plans. These have not been highlighted to the community or property owners by the Commission and no explanation or supporting evidence has been provided to justify the changes. Despite requests from this Council, no Fact Sheets were produced or provided to property owners explaining the effect of significant new changes at the zone level.

The State Planning Commission stated that the Discussion Papers were intended to identify where there may be minor policy reform. Beyond that, Local Government, property owners and the community, were advised that future generations of the Code would be the appropriate time to investigate and consult upon policy change.

The required justification, exposure, analysis, review and resolution of the substantial detail needs far more time. Since the initial release in October 2019 of the draft Code (3,030 pages) a subsequent update of details and classification tables (2,200 pages) released on 23 December 2019, require significant detailed re-examination. The Code's implementation should be delayed beyond September 2020 to allow for proper review and iterative changes to policy as was originally advised in the Transition Guide (November 2018) and include time for a rigorous 'road testing' before operation to resolve the multitude of unintended and/or incongruous consequences. The extent and significance of such changes will require re-consultation.

Local Government Input and Community Engagement on the Code is inadequate

The Council is concerned at the lack of genuine engagement with Councils on the content of the Code and policy refinement and as a consequence there are substantial gaps and anomalies in the Code and widespread instances where the Development Plan policy has not been faithfully carried across into the Code or in many instances, omitted from the Code. The Council requests the Commission to re-release the revised Code for consultation and reduce further risk by allowing for a suitable testing and proofing period before final implementation. To do otherwise, is unprofessional and not prudent.

As expressed previously in correspondence to the State Planning Commission (letter dated 27 November 2019), the Council considers there has been a breach of the stated intent to work closely and collaboratively with Local Government.

The Planning Portal states that:

The Department of Planning, Transport and Infrastructure will work closely with relevant councils to convert existing development plans to the Planning and Design Code.

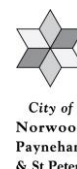
This did not occur despite rhetoric to the contrary.

Similarly the *Planning and Design Code – How Will it Work Discussion Paper*, states:

Feedback from councils and stakeholders through the transition to the Code will be imperative to identify any important unique local characteristics that warrant application of a subzone

In contrast, there has not been prior collaboration before the release of the Code to obtain feedback from this Council, as to the important local characteristics that warrant an application of a subzone. The

Planning & Design Code Submission



draft Code received by the Council provides for 1 (one) subzone, for a new policy variation in the Urban Corridor Zone, not for the purposes of addressing the policy distinctions in the current 52 Policy Areas, and multiple other local variations in the Council's Development Plan.

In terms of a process for genuine input and collaboration, a Collaborative Work Program that set out the process and timing of collaboration between the Department and Council on the development of the Code, was agreed and signed in March 2018. However, the Department did not implement the Collaborative Work Program.

The process set out in the *Guide to Transition* (November 2018) for iterative consideration and input by Local Government did not eventuate.

While Commission-led, DPTI will work closely with councils to convert Development Plans into the Code.

The intention to work closely with councils to convert Development Plans into the Code did not occur as anticipated for this process.

At an administrative level, the first date Council staff were provided with a Transition Plan table was 27 September 2019, and this document was required to be treated as a confidential document by staff. In turn Phase 3 of the Code was released on 1 October 2019. As such, the Council was not provided with an opportunity (or time) to influence or provide input to the draft Code content.

The Council is joining other Councils, industry, Members of Parliament and other key stakeholders in calling for a delay to the implementation date of the Code (beyond September 2020) to ensure the significant policy changes made post-consultation are understood, thoroughly road-tested and re-consulted upon prior to removal of current Development Plans.

The Community Engagement Charter requires that engagement is genuine, inclusive and respectful, fit for purpose, informed and transparent and includes processes which are reviewed and improved. The Council is concerned that the development of the Code (largely in isolation of input from Local Government) and the current consultation program, are not achieving these principles for the reasons outlined in Table 1 below.

TABLE 1: COMPARISON OF CODE CONSULTATION COMPARED TO ENGAGEMENT CHARTER

| Engagement Charter Principle | Measurement of Success |
|---|--|
| Principle 1 Engagement is Genuine | The timeframe between the end of Phase 3 consultation and the commencement of the Code in September 2020, may not allow for any re-consultation. In the preparation of far simpler DPAs, where Councils proposed significant changes post-consultation, they were required by the Minister to re-consult, so that stakeholders have an opportunity to comment on policy which might be significantly different to what they saw the first time around. An engagement program which does not allow for re-consultation, regardless of the comments from stakeholders, is not genuine engagement particularly in light of the issues which have been identified. |
| Principle 2 Engagement is Inclusive and Respectful | <p>The Charter anticipates that engagement will invite people to "<i>participate early so that they can influence the process and the thinking from the start</i>". In March 2018, Councils entered into a Collaborative Work Program (CWP), a process of early collaboration between Local Government and DPTI. Collaboration as set out in the CWP never eventuated and as a result, there are numerous local policies, concept plans and mapping information which are either missing or incorrect in the current draft of the Code. The Council was also not involved in determining how the Code would be spatially applied to the City of Norwood Payneham & St Peters.</p> <p>The absence of collaboration and input by Local Government as a primary stakeholder in assessment policy has compromised the quality of the draft Code.</p> |

| | |
|--|---|
| | <p>Local Government practitioners are happy and willing to assist DPTI practitioners with the enormous task presented by transitioning to the Code, however the absence of genuine collaboration, have limited our ability to be appropriately informed and involved.</p> |
| <p>Principle3</p> <p>Engagement is Fit for Purpose</p> | <p>A key rationale of the planning reforms and the removal of third party appeal rights for merit development, was to shift the focus of community engagement away from the development assessment stage and to the 'upfront' policy formulation stage. Putting aside the Council's concerns with reduced public notification during the development assessment process, it was expected that the 'upfront' community engagement for the Phase 3 Code Amendment, would be broad reaching and comprehensive to ensure that all affected people were appropriately engaged or at the very least notified of the changes. The Charter also expects an engagement process which <i>"matches the significance of the planning change"</i>.</p> <p>The Planning and Design Code represents significant change to zoning and current development potential and will impact every property in some way, however the current scope of engagement does not match the level of potential impacts. Property owners and most local communities have not been sufficiently alerted to the existence of the Code and not directly engaged to participate in understanding and providing comment on the implications of the Code.</p> <p>Awareness has relied on understanding that policy change is underway only through broad scale media and then being able to navigate the on-line Portal, a complex GIS mapping tool together with a 3000 page pdf policy document to understand how those policies affect their property. Further barriers to understanding have arisen due to the separate (and late) release of a Code Update and Classification Tables which have not been widely notified. The Historic Area Statements are the only aspect of the Code that has been notified (late January 2020) to directly affected property owners.</p> <p>The 3 phase introduction of the Code was intended to manage implementation and risks associated with complex policy issues for the Phase 3 Code, accompanied by a phased introduction of ePlanning. The Code was designed for an ePlanning format and to consult on such a complicated document in the current manner is not <i>'fit-for-purpose'</i>, particularly with errors and omissions in both the draft Code and mapping tool. The limited road testing opportunity has significantly amplified the challenge of the manual road testing process by Local Government staff, which compromises Local Government's ability to effectively review this significant policy document.</p> <p>The Charter anticipates that being <i>'fit for purpose'</i> will be measured by whether <i>"people were effectively engaged and satisfied"</i> and <i>"people were clear about the proposed change and how it would affect them"</i>. In this regard, the current engagement activities do not appropriately achieve either of these tests given the process leading up to engagement and the subsequent quality of consultation documents.</p> |
| <p>Principle 4</p> <p>Engagement is Informed and Transparent</p> | <p>Without visibility of key parts of the Code, informed and transparent engagement cannot be achieved.</p> <p>The Charter states that people should <i>"have access to all relevant information at the time it is needed so that they can participate fully."</i> The Council acknowledges the substantial amount of work which has gone into preparing the draft Code and associated information, however the Code has unfortunately been released for consultation with missing information and major administrative errors. Despite the Council's notification of errors relating to non-residential zones, building heights, floodplains, heritage referrals, notification triggers and significant tree policy</p> |



| | |
|---|---|
| | <p>change and the Commission's acknowledgement of these issues, the final details and resolutions for these errors remains undocumented and not visible.</p> <p>The missing information and errors, particularly Technical Numerical Variations and issues identified in the Code Update for significant review and change means that Council staff, property owners and the broader community, cannot understand the full impact of the Code policies during the only consultation phase.</p> |
| <p>Principle 5</p> <p>Engagement is Reviewed and Improved</p> | <p>Councils have been advised that the engagement program is iterative in order to allow for further information and corrections to be made throughout the consultation process.</p> <p>On repeated request from multiple stakeholders, the Commission and the State Government has been urged to delay the Code implementation date of 1 July 2020 to provide more time to investigate and fix the gaps and errors outlined in the Code Update, carefully review submissions and genuinely collaborate on workable changes with Councils, the custodians of the policy.</p> <p>A significant opportunity which has been presented by the planning reforms, to achieve a better planning system, a system in which all stakeholders have had a genuine opportunity to participate throughout the process and most importantly, to achieve better design and urban form outcomes. This aim should not be compromised on the basis of working towards an arbitrary implementation date.</p> |

Required Changes to Zone Allocation to preserve policy intent

The following table (Table 2) summarises some key issues and recommendations in relation to the draft Code zones which have been proposed for this Council. Further detail on these issues and recommendations are located in *Attachment A – Detailed Zone Analysis and Recommendations*.

TABLE 2: REQUIRED CHANGES TO ZONES TO PRESERVE EXISTING POLICY INTENT

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|--|--|---|---|---|
| Residential | Medium Density | Housing Diversity Neighbourhood (Note: numeric parameters in Code (Height TNV) are incorrect) | SIGNIFICANT CHANGE | ACCEPT only with policy changes Refer Attachment A |
| Residential | N/A | General Neighbourhood Height policy is incorrect e.g. hammerhead development is single storey & additions to pre 1940s dwellings in Payneham & Payneham South is single storey appearance. | SIGNIFICANT CHANGE Significant new policy flexibility in land use types and scale | ACCEPT only with policy changes Refer Attachment A |
| Residential Historic Conservation Zone | College Park | Suburban Neighbourhood (Note: numeric parameters in Code (TNV) are incorrect) | SIGNIFICANT CHANGE Significant new policy flexibility in land use types and scale | ACCEPT only with policy changes to: <ul style="list-style-type: none"> Zone policy – to reinstate current TNV parameters and retain Development Plan policy (refer submission discussion and Attachment A) Historic Area Overlay policy – to reinstate current policy (refer submission discussion and Attachment A) |
| | Joslin / Royston Park | | | |
| | Kensington 1 | | | |
| | Kensington 2 | | | |
| | Marden (Broad Street / Pollock Avenue) | | | |
| | Maylands | | | |

Planning & Design Code

Draft Submission



City of
Norwood
Payneham
& St Peters

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|--|---|--|---------------------------|--|
| | Norwood 1 | | | |
| | Norwood 4 | | | |
| | Payneham (Harcourt Road) | | | |
| | St Peters | | | |
| | The Avenues | | | |
| Residential Historic Conservation Zone | Hackney North | Housing Diversity Neighbourhood | SIGNIFICANT CHANGE | DO NOT SUPPORT UNLESS: Change to Suburban Neighbourhood Zone with current policy and all numeric parameters transitioned across in TNV and policy (sub zone if required) and revision of Historic Area Overlay to reflect detailed current policy requirements Refer Attachment A |
| | Hackney South | | | |
| | Kent Town 1 | | | |
| | Kent Town 2 | | | |
| | Norwood 2 | | | |
| | Norwood 3 | | | |
| | Norwood 5 | | | |
| | Payneham (Henry Street / George Street) | | | |
| | Stepney | | | |
| Residential Character | Evandale / Maylands / Stepney | Suburban Neighbourhood | SIGNIFICANT CHANGE | ACCEPT only with policy changes to: <ul style="list-style-type: none"> Reinstate PDC 6 and 7– to reduce streetscape dominance of 2 storey development Reinstate PDC 5/ 6 for each Policy Area to ensure appropriate land division patterns Other policy changes as recommended in Attachment A Revision of Character Area Overlay |
| | Hackney | (Note: numeric parameters in Code (TNV) are incorrect) | | |
| | Heathpool / Marryatville | | | |
| | St Peters / Joslin / Royston Park | | | |
| | Trinity Gardens / St Morris | | | |
| Residential Character (Norwood) | N/A | Suburban Neighbourhood | SIGNIFICANT CHANGE | ACCEPT only with policy changes to: <ul style="list-style-type: none"> Reinstate Concept Plan Fig RC(N)/1 and corresponding policy Reinstate PDC 6 , 7 and 12 – to reduce streetscape dominance of 2 storey development |
| | | (Note: numeric parameters in Code (TNV) are incorrect) | | |

Planning & Design Code

Draft Submission



City of
Norwood
Payneham
& St Peters

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|-----------------------|-------------|------------------------------|---|--|
| | | | | <ul style="list-style-type: none"> Reinstate PDC 20 for each Policy Area to ensure appropriate land division patterns Other policy changes as recommended in Attachment A Revision of Character Area Overlay |
| Urban Corridor | Boulevard | Urban Corridor (Boulevard) | SIGNIFICANT CHANGE Increased height limits under the Code | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Retention of current 30' building envelope (no justification provided for change) Remove Strategic Development Sites policy (no justification provided for introduction, which allows increased building heights in unpredictable locations) Retention of concept plans and Key Development Areas Other policy changes as recommended in Attachment A |
| Urban Corridor | Business | Urban Corridor (Business) | SIGNIFICANT CHANGE Increased height limits under the Code | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Retention of current 30' building envelope Remove Strategic Development Sites policy Retention of concept plans and Key Development Areas Other policy changes as recommended in Attachment A |
| Urban Corridor | High Street | Urban Corridor (Main Street) | SIGNIFICANT CHANGE Increased height limits under the Code | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Retention of current 30' building envelope Remove Strategic Development Sites policy Retention of concept plans and Key Development Areas |

Planning & Design Code

Draft Submission



City of
Norwood
Payneham
& St Peters

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|-----------------------------|-----------------|------------------------------|---|--|
| | | | | <ul style="list-style-type: none"> Other policy changes as recommended in Attachment A |
| District Centre (Norwood) | Retail Core | Urban Corridor (Main Street) | SIGNIFICANT CHANGE Increased height limits under the Code | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Retention of current 30' building envelope Remove Strategic Development Sites policy Other policy changes as recommended in Attachment A |
| District Centre (Norwood) | The Parade East | Urban Corridor (Main Street) | SIGNIFICANT CHANGE Increased height limits under the Code | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Retention of current 30' building envelope Remove Strategic Development Sites policy Retention of Concept Plans Other policy changes as recommended in Attachment A |
| District Centre (Norwood) | The Parade West | Urban Corridor (Main Street) | SIGNIFICANT CHANGE Code Zone intent not suitable for The Parade West | DO NOT SUPPORT Change to Suburban Activity Centre with lower land use and scale intensity than draft SAC Zone (in consultation with landowners and affected stakeholders) |
| District Centre (St Peters) | N/A | Suburban Activity Centre | SIGNIFICANT CHANGE | ACCEPT only with policy changes to: <ul style="list-style-type: none"> Change to lower scale zone or sub zone SAC (currently up to 6 storeys in Code) and with civic focus (include as sub-zone) at St Peters Remove unrestricted shop and bulky goods floor area |
| District Commercial | N/A | Suburban Activity Centre | SIGNIFICANT CHANGE Complete change of policy intent. Significant new policy flexibility in land use types, building heights and floor areas | WRONG ZONE SELECTION - CHANGE Not a retail zone – develop Code zone to reflect servicing, warehousing and wholesaling |

Planning & Design Code

Draft Submission

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|--------------------------|-------------|--------------------------|--|---|
| District Shopping | N/A | Suburban Activity Centre | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, height and floor areas | ACCEPT only with policy changes to: <ul style="list-style-type: none"> Change to lower scale in SAC Zone (currently up to 6 storeys in Code) Reduce allowable scale of shops, offices, bulky goods (no current size restrictions) |
| Local Centre (Norwood) | N/A | Suburban Main Street | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, height and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Change to lower scale in SMS Zone (currently up to 6 storeys in Code) Reduce allowable scale of shops, offices, bulky goods (no current size restrictions) |
| Local Centre (St Peters) | N/A | Suburban Main Street | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, height and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Change to lower scale in SMS Zone (currently up to 6 storeys in Code) Reduce allowable scale of shops, offices, bulky goods (no current size restrictions) |
| Local Commercial | N/A | Suburban Employment | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, height and floor areas | WRONG ZONE SELECTION – CHANGE TO lower intensity commercial zone with sub zones– Suburban Business and Innovation (without residential and industry) <ul style="list-style-type: none"> Current small scale service activities No maximum height limit in SES Zone– only 45' building envelope |
| Local Office | N/A | Business Neighbourhood | SIGNIFICANT CHANGE Complete change of policy intent. Significant new policy flexibility in land use types, building heights and floor areas | WRONG ZONE SELECTION Not residential-focussed zone <ul style="list-style-type: none"> Change to commercial land use and lower scale (currently up to 6 storeys in Code). Suburban Business and Innovation also not suitable due to inclusion of medium density residential and industry |
| Local Shopping | N/A | Suburban Activity Centre | SIGNIFICANT CHANGE | WRONG ZONE SELECTION – CHANGE TO zone allowing for lesser scale and intensity of development than that envisaged |

Planning & Design Code

Draft Submission

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|-----------------------|--------------|----------------------------------|--|---|
| | | | Significant new policy flexibility in land use types, height and floor areas | in the Suburban Activity Centre (in consultation with landowners and affected stakeholders) <ul style="list-style-type: none"> Current small scale local shopping, enables up to 6 storeys in Code Unrestricted shop and bulky goods floor area in Code |
| Neighbourhood Centre | Magill Road | Suburban Activity Centre | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, height and floor areas | WRONG ZONE SELECTION – CHANGE TO LESSER SCALE zone (in consultation with landowners and affected stakeholders) <ul style="list-style-type: none"> Current small scale specialty shopping, enables up to 6 storeys in Code Unrestricted shop and bulky goods floor area in Code |
| Neighbourhood Centre | Marryatville | Suburban Activity Centre | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | WRONG ZONE SELECTION – CHANGE TO LESSER SCALE zone (in consultation with landowners and affected stakeholders) <ul style="list-style-type: none"> Current small scale specialty shopping, enables up to 6 storeys in Code Unrestricted shop and bulky goods floor area in Code |
| Business | Beulah Road | Suburban Business and Innovation | SIGNIFICANT CHANGE Change in policy intent – not retail zone currently. Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Removal of retail focus and reduction in floor area DPF and Restricted Development trigger to match current (sub zone required) Change to lower scale and land use function in SBI Zone (currently up to 6 storeys in Code) to match current policy Change to land uses (eg motor repair station was non-complying now envisaged) |
| Business | Kensington | Suburban Business and Innovation | SIGNIFICANT CHANGE Change in policy intent – not retail zone currently. | ACCEPT subject to change to: <ul style="list-style-type: none"> Reflect current zone height and land use |

Planning & Design Code

Draft Submission



City of
Norwood
Payneham
& St Peters

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|-----------------------|------------------|----------------------------------|--|--|
| | | | Significant new policy flexibility in land use types, heights and floor areas | |
| Business | Magill Road East | Suburban Business and Innovation | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Restricted Development triggers to match current restrictions Change to lower scale and land use function in SBI Zone (currently up to 6 storeys in Code) to match current 2 storey policy Change to envisaged land uses to retain like for like transition (eg motor repair station was non-complying now envisaged) (sub zone required) |
| Business | Magill Road West | Suburban Business and Innovation | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Restricted Development triggers to match current and design focus Change to lower scale and land use function in SBI Zone (currently up to 6 storeys in Code) to match current 2 and 3 storey policy Change to land uses (eg motor repair station was non-complying now envisaged) (sub zone required) |
| Business | West Norwood | Suburban Business and Innovation | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Change to lower scale and land use function in SBI Zone (currently up to 6 storeys in Code) to match current policy Retention of local policy (scale, access and car parking etc) as sub zone Change to land uses (eg motor repair station was non-complying now envisaged) Restricted Development triggers to match current |

Planning & Design Code

Draft Submission



City of
Norwood
Payneham
& St Peters

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|-----------------------|-----------------------------|----------------------------------|--|---|
| | | | | <ul style="list-style-type: none"> (sub zone required) |
| Mixed Use A | N/A | Suburban Business and Innovation | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Removal of retail and industry focus and reduction in floor area DPF and Restricted Development trigger to match current (sub zone required) Retention of local policy (scale, access and car parking etc) as sub zone Change to lower scale and land use function in SBI Zone (currently up to 6 storeys in Code) to match current policy Change to land uses (eg motor repair station was non-complying now envisaged) |
| Mixed Use A | N/A | Suburban Business and Innovation | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Removal of retail focus and reduction in floor area DPF and Restricted Development trigger to match current (sub zone required) Change to lower scale and land use function in SBI Zone (currently up to 6 storeys in Code) to match current policy Change to land uses (eg motor repair station was non-complying now envisaged) |
| Mixed Use B | Dequetteville Terrace South | Business Neighbourhood | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | ACCEPT subject to change to: <ul style="list-style-type: none"> Reinstatement local variation – complementary to existing historic buildings, design quality and access policy Change to lower scale and land use function in BN Zone (currently up to 6 storeys in Code) to match current policy Strengthen commercial focus not residential for zone |

Planning & Design Code

Draft Submission

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|-----------------------|-----------------------------|--------------------------|--|--|
| Mixed Use B | George Street/Edward Street | Business Neighbourhood | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | ACCEPT subject to change to: <ul style="list-style-type: none"> Reinstatement local variation – complementary to existing historic buildings, design quality and access policy Change to lower scale and land use function in BN Zone (currently up to 6 storeys in Code) to match current policy (2 storeys or 3 with arterial frontage) Strengthen commercial focus not residential for zone |
| Mixed Use B | Kensington Road | Business Neighbourhood | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | ACCEPT subject to change to: <ul style="list-style-type: none"> Reinstatement local variation – complementary to existing historic buildings, design quality and access policy Change to lower scale and land use function in BN Zone (currently up to 6 storeys in Code) to match current policy (2 storeys or 3 with arterial frontage) Strengthen commercial focus not residential for zone |
| Mixed Use B | Osmond Terrace | Business Neighbourhood | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | ACCEPT subject to change to: <ul style="list-style-type: none"> Reinstatement local variation – complementary to existing historic buildings, design quality and access policy Change to lower scale and land use function in BN Zone (currently up to 6 storeys in Code) to match current policy (2 storeys or 3 with arterial frontage) Strengthen commercial focus not residential for zone |
| Mixed Use B | Portrush Road | Business Neighbourhood | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | ACCEPT subject to change to: <ul style="list-style-type: none"> Reinstatement local variation – complementary to existing historic buildings, design quality and access policy |

Planning & Design Code

Draft Submission

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|-----------------------------------|-----------------------|---|--|---|
| | | | | <ul style="list-style-type: none"> Change to lower scale and land use function in BN Zone (currently up to 6 storeys in Code) to match current policy (2 storeys or 3 with arterial frontage) Strengthen commercial focus not residential for zone |
| Mixed Use Historic (Conservation) | Dequetteville Terrace | Business Neighbourhood (Historic Area Overlay applies) | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Historic Area Overlay or Historic Area Statement revised to reflect current land use policy and detailed provisions for the design and siting of new buildings in this Historic Conservation Zone. Historic Area Statement states residential – however this is a commercial zone Changes to reflect current Development Plan policy for Mixed Use Historic Conservation Zone Clarify interpretation of Historic Area Overlay for this zone/ location, particularly for demolition, extensions to commercial premises and new buildings |
| Mixed Use Historic (Conservation) | Kensington | Business Neighbourhood (Historic Area Overlay applies) | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Historic Area Overlay or Historic Area Statement revised to reflect current land use policy and detailed provisions for the design and siting of new buildings in this Historic Conservation Zone. Historic Area Statement states residential – this is a part commercial zone Changes to reflect current Development Plan policy for Mixed Use Historic Conservation Zone Changes to reflect current Development Plan policy for Mixed Use Historic Conservation Zone Clarify interpretation of Historic Area Overlay for this zone/ location, particularly for demolition, extensions to commercial premises and new buildings |

Planning & Design Code

Draft Submission



City of
Norwood
Payneham
& St Peters

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|-----------------------------------|---------------|---|--|--|
| Mixed Use Historic (Conservation) | Payneham Road | Business Neighbourhood (Historic Area Overlay applies) | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Historic Area Overlay or Historic Area Statement revised to reflect current land use policy and detailed provisions for the design and siting of new buildings in this Historic Conservation Zone. Historic Area Statement states residential – this is a commercial zone Changes to reflect current Development Plan policy for Mixed Use Historic Conservation Zone Changes to reflect current Development Plan policy for Mixed Use Historic Conservation Zone Clarify interpretation of Historic Area Overlay for this zone/ location, particularly for demolition, extensions to commercial premises and new buildings |
| Mixed Use Historic (Conservation) | Portrush Road | Business Neighbourhood (Historic Area Overlay applies) | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Historic Area Overlay or Historic Area Statement revised to reflect current land use policy and detailed provisions for the design and siting of new buildings in this Historic Conservation Zone. Historic Area Statement states residential – this is a part commercial zone Changes to reflect current Development Plan policy for Mixed Use Historic Conservation Zone Changes to reflect current Development Plan policy for Mixed Use Historic Conservation Zone Clarify interpretation of Historic Area Overlay for this zone/ location, particularly for demolition, extensions to commercial premises and new buildings |

Planning & Design Code

Draft Submission

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|-----------------------------------|---------------------------|---|--|---|
| Mixed Use Historic (Conservation) | The Parade/Fullarton Road | Business Neighbourhood (Historic Area Overlay applies) | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Historic Area Overlay or Historic Area Statement revised to reflect current land use policy and detailed provisions for the design and siting of new buildings in this Historic Conservation Zone. Historic Area Statement states residential – this is a commercial zone Changes to reflect current Development Plan policy for Mixed Use Historic Conservation Zone Changes to reflect current Development Plan policy for Mixed Use Historic Conservation Zone Clarify interpretation of Historic Area Overlay for this zone/ location, particularly for demolition, extensions to commercial premises and new buildings |
| Light Industry | N/A | Suburban Employment | SIGNIFICANT CHANGE Significant new policy flexibility in land use types, heights and floor areas | DO NOT SUPPORT - review to: <ul style="list-style-type: none"> Create suitable zone for Stepney –residential and small scale cottage industries Changes to reflect current Light Industry Zone land use (shops not anticipated and non-complying >250m²) Unrestricted bulky goods should have size limit and limited to arterial roads Reduce Restricted threshold from 1000m² (currently 250m² for NPSP) |
| Community | Education | Community Facilities | SIGNIFICANT CHANGE Widespread, significant new policy flexibility in land use types, heights | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Changes to revise proposed 6 storey height limit (no TNV) Introduce sub zone to reflect scale and public notification categories contained in 2019 Educational Establishments DPA |

Planning & Design Code

Draft Submission



City of
Norwood
Payneham
& St Peters

| Development Plan Zone | Policy Area | Planning and Design Code | Extent of Policy Change | Recommendation |
|-----------------------------|-------------|--------------------------|--|--|
| | Recreation | Community Facilities | SIGNIFICANT CHANGE Widespread, significant new policy flexibility in land use types, heights | DO NOT SUPPORT unless: <ul style="list-style-type: none"> Changes to revise proposed 6 storey height limit (no TNV) Introduce policy to guide compatible land use function and scale in zone |
| Recreation | N/A | Recreation | MODERATE CHANGE | SUPPORT with policy changes: <ul style="list-style-type: none"> Reinstate current 3 storey height limit (sub zone required?) Align restricted land uses with current non-complying (Code proposes fewer Restricted land uses than Mixed Use Zones) Greater policy guidance for appropriate building form Other changes as noted in Attachment A |
| Linear Park (River Torrens) | N/A | Open Space | MINOR CHANGE | SUPPORT with policy changes to: <ul style="list-style-type: none"> Guide siting and scale of shops Guide offices/ shops of a scale commensurate with sporting/ recreation clubs Introduce restricted land uses incompatible with regional open space objectives |

The Draft Planning and Design Code is incomplete

There is been no visibility (and therefore no opportunity for feedback) on the final policy details for the following aspects of the Code:

- Proposed comprehensive revision of public notification categories for all development
- Proposed revision of floodplain maps and policy details of how land will be protected from known flood modelling
- Proposed revision of Activity Centre policy and policy requirements for shops outside these areas taking into account scale and intensity of development
- Proposed revised building heights in many zones
- Proposed changes to the General Neighbourhood Zone
- Confirmation of corrected TNV details for most zones in the City of Norwood Payneham & St Peters
- Foreshadowed revision of Historic Area Statements (in collaboration with Councils before Phase 3 Code introduction)
- Proposed changes to policy adjacent State and Local Heritage Places
- Proposed changes to land division policy in residential zones
- Proposed comprehensive review of classification tables affecting changed development rights for all parcels of land
- Proposed Code Drafting Improvements

The Commission's proposals to amend and add to the Code, as outlined in the Phase Three (Urban Areas) Code Amendment – Update Report, are largely supported as improvements to the Code. In terms of process however, these broad descriptions of changes are so significant and critical in understanding how the Code will be applied, that re-consultation is warranted once these policy details have been drafted.

As a significant example, DPTI has foreshadowed that following closure of public consultation, the public notification triggers in the draft Code will be extensively reviewed and likely to be amended prior to implementation of Phase 3 of the Code in July 2020. This will mean that there is no visibility or opportunity for the community to comment on the public notification opportunities that will be specified in the Code. This is a critical component of the Code that cannot be hidden from public input and is contrary to the Commissions' principles of engagement being informed and transparent. The public will have no understanding of what types of applications they will be notified of, and able to provide input to, under the Planning and Design Code until it is released in its final (operational) form. For these reasons, it is recommended that a further period of consultation be provided for, on what is likely to be (and needs to be) a significantly revised Code, so all stakeholders have the opportunity to see, and provide feedback on the actual policies of the Code.

Local Government, industry groups, property owners, developers and many community members have stated the need to get the details of the policy right (with the appropriate, justified investigations, input and consultation) which would necessitate a further revision of timeframes to ensure the appropriate understanding, review and re-consultation as envisaged by the *Community Engagement Charter*.

Policy Loss from the City of Norwood Payneham & St Peters Development Plan

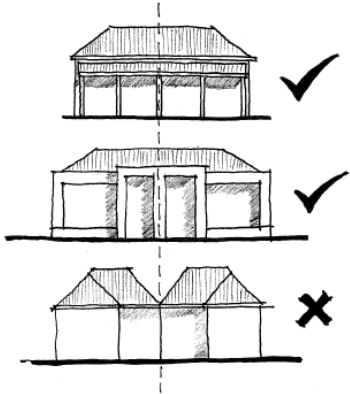
The NPSP Development Plan includes a comprehensive suite of development policies, developed and refined over several decades, many of which were introduced in the Council's *Residential Development (City Wide Policy) DPA* in 2011. The policy intent of many of these NPSP policies is broadly represented in similar policies in the Code, however there are many key areas where the Code is either silent, lacking policy or would result in different, and less desirable built form outcomes. A summary of the most significant policy gaps are discussed below, with more detailed comparisons and recommendations contained in **Attachments A to I**.

Table 3 below and **Attachment B** clearly demonstrate the extent and significance of policy loss in the City of Norwood Payneham & St Peters. The following table summarises the policy losses of greatest impact and demonstrates the resultant effect on poorer quality design outcomes.

TABLE 3: MISSING CODE POLICY

| City Wide Policies NOT TRANSITIONED to the Code | IMPACTS on reduced quality of development |
|--|---|
| <p><u>Lack of Strategic Policies</u> A significant side effect of the Code framework requiring policies to be very specifically applied to particular development types is a move away from more general, but important strategic policies. For example NPSP City Wide Objective 57:</p> <p><i>Increased dwelling densities in areas close to centres, public transport and significant public open spaces.</i></p> <p>Various other strategic objectives to assist sound spatial planning and assessment, are not transitioned to the Code.</p> <p>Recommendation: Revise strategic objectives and locational guidance into relevant Performance Outcomes.</p> | <p>Loss of these types of strategic policies provides no assessment context for how other policies should be interpreted and applied, particularly in large zones such as the General Neighbourhood Zone.</p> <p>Development of increased densities will occur in an ad-hoc fashion, not co-ordinated with infrastructure, service and public realm upgrades.</p> |
| <p><u>Laneway Development</u> The NPSP Development Plan contains clear policy regarding which laneways can/cannot serve as a primary frontage for dwellings. This policy is to ensure dwellings have appropriate access to essential infrastructure services.</p> <p>In terms of rear access, the NPSP Development Plan allows design alternatives, reduced frontage widths etc. for dwellings which have appropriate rear laneway vehicle access and prioritises laneway access rather than primary street access in Historic (Conservation) Zones.</p> <p>NPSP City Wide PDC 219 states that any grade transition required to gain access from a laneway should be accommodated entirely on private land, to avoid grade transitions in the lane. This is not reflected in the Code.</p> <p>Both the <i>Development Regulations</i> and the NPSP Development Plan contain requirements for vehicle access from laneways by specifying minimum setbacks between carports/garages and the opposite side of the lane. It is very concerning that this has been omitted from the Code.</p> <p>Map NPSP/1 (OVERLAY 4) PART A and B – LANEWAYS, MINOR STREETS AND UNSERVICED ROADS have been omitted from the Code with accompanying policy requirements (from various parts of the Development Plan).</p> <p>Recommendation: Reinstate maps and laneway policy in the Code.</p> | <p>The Code has a significant policy gap in containing no general policies relating to development adjacent laneways (or reliant on laneways).</p> <p>Dwellings will not have suitable access to essential infrastructure services (including stormwater systems), mail delivery, waste collection, on-street parking and safe and convenient pedestrian access including street lighting.</p> <p>This will result in unplanned development of laneway-facing dwellings which do not have suitable provision for turning movements, lighting and street infrastructure.</p> |

| City Wide Policies NOT TRANSITIONED to the Code | IMPACTS on reduced quality of development |
|--|--|
| <p><u>Appropriate location of hammerhead development</u> NPSP City Wide PDC 189 requires hammerhead development to only occur where specifically envisaged in the zone. Clearer policy on this issue is required.</p> <p><u>Vehicle access</u> Under the Code policies, a single dwelling on a hammerhead allotment does not require vehicle manoeuvring on site i.e. any vehicles would need to reverse down a potentially long driveway (typically ~30m). This should be amended so that any hammerhead development requires on-site reversing space so all vehicles can egress safely in a forward direction.</p> <p>A common driveway servicing 3 or more dwellings should have an increased entrance point for safe passing. Under Code policy this is only required for arterial roads which is insufficient. A common driveway servicing 3 or more dwellings should also have a wider driveway for the duration of the driveway, not just passing space.</p> <p><u>Setbacks</u> NPSP Development Plan requires hammerhead developments to be setback from side and rear boundaries: 2.5m from single storey walls and 4.5m from upper level walls.</p> <p>NPSP PDC 201 states that hammerhead dwellings should be single storey, unless the zone policies specifically state otherwise, or the locality is predominately two storey.</p> <p>Recommendation: Reinstate policy into the Code.</p> | <p>Code residential zones do not sufficiently articulate whether or where hammerhead development is appropriate.</p> <p>This development has a detrimental impact on the land division pattern and landscaped pattern of a locality, as well as detrimentally impacts the amenity of adjacent property occupants.</p> <p>Interrupted driveways, dominant fencing and new infill development will impact on the streetscape appearance and pattern of development where the Historic Area Overlay and Character Area Overlay applies.</p> <p>Code does not contain policy to guide hammerhead development in rear of backyards. Standard setbacks are appropriate for typical side-by-side dwellings or outbuildings, but are not appropriate for dwellings which are adjacent to neighbouring private open space. The Code needs to include increased setbacks for hammerhead development.</p> |
| <p><u>Dwelling Forms in Historic Conservation Zone (by Policy Area)</u></p> <p>Current important policies have been omitted from the P & D Code guiding appropriate built form to provide compatibility and consistency with Historic Area Statements.</p> <p>Code policy change to increase the types of dwellings envisaged in some locations (where only detached dwelling currently possible – eg College Park Policy Area).</p> <p>Recommendation: Reinstate relevant dwelling form policy into the Code at Overlay level. Due to local contextual detail of this, this would need to be in the Historic Area Statement.</p> | <p>More intensive building forms (semi-detached, group dwellings, residential flat buildings) will result in incompatible built form in current Historic Conservation Zones where such dwelling types do not exist.</p> |

| City Wide Policies NOT TRANSITIONED to the Code | IMPACTS on reduced quality of development |
|--|---|
| <p><u>Design of Semi-detached dwellings</u></p> <p>The Code should be amended to include the following policies:</p> <ul style="list-style-type: none"> Semi-detached dwellings should be designed with a single, integrated built form i.e. single roof form and integrated features.  <ul style="list-style-type: none"> Garages for semi-detached dwellings should not be side by side wherever practical to preserve on-street parking, allow for coordinated front landscaping and contribute to the integrated built form. <p>Recommendation: Reinstate policy into the Code.</p> | <p>P & D Code does not have a similar policy requiring a cohesive built form, resulting in appearance of development in Historic and Character Area Overlay areas which is inconsistent with the built form character of these areas.</p> <p>Code policy change to increase the types of dwellings envisaged in some locations (where only detached dwelling currently possible – eg College Park Policy Area).</p> <p>To maintain current policy intent need policy re-instated and changes to relevant zones (sub zone required) to ensure semi-detached dwellings not envisaged.</p> |
| <p><u>General Development Policies – setbacks & site coverage</u></p> <p>Not all Code zones include setback and site coverage policies e.g. Housing Diversity Neighbourhood Zone doesn't have a site coverage and General Neighbourhood doesn't have a side setback policy.</p> <p>Policy loss – including NPSP City Wide PDC 206 which states that side and rear setbacks should increase as wall height increases.</p> <p>Recommendation: Reinstate policy into the Code.</p> | <p>Code will not guide setback and site coverage in these locations.</p> |
| <p><u>Boundary Development</u></p> <p>The Code policies relating to ancillary development and boundary development generally allow for boundary walls up to 10m long compared to 8m long as per current NPSP policies and requirements in the <i>Development Regulations</i>. A length of 10m is likely to have an unreasonable impact in many residential situations so should be amended to 8m. Boundary walls longer than 8m can be assessed on their merits in the context of the situation.</p> <p>Recommendation: Reinstate current ResCode policy into the Code for wall lengths.</p> | <p>Excessive boundary walling, impacting on neighbours, will be able to be introduced under the Code.</p> <p>No justification provided for 25% increase in wall length from current ResCode policy.</p> |

| City Wide Policies NOT TRANSITIONED to the Code | IMPACTS on reduced quality of development |
|--|--|
| <p><u>Ancillary Development, Garages & Carports</u></p> <p>The Code policies allow outbuildings etc. to be up to 60m² as DTS development but other policies require all ancillary structures to have a total roofed area limit of 60m². These policies are not cohesive and the total roof area limit is not supported, rather the cumulative roof area limit should be managed through site coverage, provision of POS and landscaping.</p> <p>It is recommended that the Code policies relating to garaging should be amended to:</p> <ul style="list-style-type: none"> • Require a minor facade projection (e.g. portico) where the garage is flush with the building line • Limit garage width to 40% of the site frontage in Historic Area Overlays • Amend residential parking space dimensions to be consistent with NPSP PDC 212: <i>Garages and carports should have a minimum dimension (internal dimensions for a garage) for the siting of vehicles and access into and out of vehicles of 3 metres by 6 metres for one vehicle or 5.8 metres by 6 metres for two vehicles.</i> • Ensure that all vehicle access transitions occur on private land, not over public land <p>Recommendation: Reinstate policy into the Code.</p> | <p>This policy change will result in dominant structures and impact on the streetscape.</p> |
| <p><u>Open Space</u></p> <p>The private open space provisions in the Code are not supported for the following reasons:</p> <ul style="list-style-type: none"> • The primary provision of private open space should generally not be located (or at least not encouraged) in front of the dwelling. This often results in poor linkages to internal living spaces and <u>requires high front fencing which is detrimental to streetscapes</u>, passive surveillance and social interaction. • The minimum dimension and areas for POS are considered to be largely insufficient, particularly where the prescribed site coverage equates to <u>as low as 8% of the site area</u>. • NPSP PDC 229 requires 50% of the POS to remain open to the sky – this policy works well and should be implemented in the Code <p>Additional policies are required to articulate what is acceptable with respect to communal open space as per NPSP PDC 231 & 232 – e.g. no private streets, parking areas, storage areas etc.</p> <p>Recommendation: Reinstate policy into the Code.</p> | <p>This policy change will result in an increase in solid high fences along the front property boundary – resulting in dominance in the streetscape.</p> <p>The amenity for occupants will be diminished with reduced dimensions and functionality for useable open space.</p> |

| City Wide Policies NOT TRANSITIONED to the Code | IMPACTS on reduced quality of development |
|---|--|
| <p><u>Privacy</u></p> <p>NPSP and at least 7 other inner metropolitan Adelaide councils have policies requiring 1.7m sill heights so the proposed 1.5m sill heights are not supported. Other concerns relating to privacy policies include:</p> <ul style="list-style-type: none"> the Code allows for private open space (POS) in the front yard but Development in Urban Areas Residential Development – 3 building levels or less PO 19.1 only requires screening on side and rear facing windows. This could lead to overlooking from front windows into POS road testing indicated PO 19.1 only appears applicable zone classification tables for residential uses, not non-residential uses (e.g. office) but in mixed use zones non-residential uses could overlook residential properties. PO 19.1 should be reworded - Part (d) doesn't work because the beginning of the policy references <i>upper level windows</i> whereas part (d) relates to balconies or terraces There should be a limit on the size of balconies and terraces (at least for DTS development) to avoid opportunities for overlooking and the perception of loss of privacy due to high levels of activity on adjacent balconies Balconies could be further than 15m away from POS (e.g. 16m) and still obtain views The Code should include design policies relating to external screening devices (PDC 236 removed) <p>Recommendation: Reinstate policy into the Code as a sub zone variation to accommodate locally relevant current policy.</p> | <p>A change for the majority of Councils that currently have 1.7m privacy treatments will result in a reduction of privacy for neighbours.</p> |
| <p><u>Noise & Amenity</u></p> <p>The <i>Noise & Air Emissions Overlay</i> only applies in NPSP in Urban Corridor Zones. There does not appear to be a more general policy, or at least a DTS requirement, regarding noise attenuation for residential properties on main roads as per NPSP PDC 237 and PDC 238. Either additional policies should be added or the <i>Noise & Air Emissions Overlay</i> should apply to arterial roads.</p> <p>The Code does not address the placement of air conditioners. Air conditioners are one of the primary sources of complaints under the <i>Local Nuisance and Litter Control Act</i>. While most residential air conditioners don't require approval some units do, but in any case, dwellings should be designed to accommodate air conditioners in a location which minimises impacts on neighbours. Commonly there is maximum 900mm on the side of the dwelling so air conditioners are mounted above fence level for ventilation, resulting in a directly adjacent noise issue for neighbours. Interface between land uses PO 4.3 should include reference to air conditioners, and all detached and semi-detached dwellings should be required to provide a small service courtyard to facilitate air conditioners, hot water services, and/or bin storage and the like.</p> <p>Recommendation: Reinstate policy into the Code.</p> | <p>Without policy to address critical noise and amenity impacts, these aspects of development may be overlooked and result in Local Nuisance complaints- to be managed and arbitrated by local government.</p> |

| City Wide Policies NOT TRANSITIONED to the Code | IMPACTS on reduced quality of development |
|---|--|
| <p><u>Dependent & Aged Accommodation</u></p> <ul style="list-style-type: none"> NPSP PDC 246 provides specific policy guidance for dependant accommodation (e.g. granny flats). Ancillary accommodation is defined in the Code, but there are no applicable policies. There are policies relating to ancillary development but this relates to outbuildings etc. NPSP PDC 247 – 251 removed from Code – assessment detail reduced <p>Recommendation: Reinstate policy into the Code.</p> | <p>Results in lack of comprehensive policy guidance for aged accommodation –should be reinstated to reflect State Planning Policy for aged housing</p> |
| <p><u>City Wide Concept Plans</u></p> <p>All Concept Plans have been deleted from the Development Plan.</p> <p>Recommendation: Reinstate all Concept Plans into the Code (and accompanying policy for laneways and Character Area Overlay policy).</p> | <p>Results in lack of comprehensive policy guidance for strategic sites and areas where detailed design and siting outcomes are sought.</p> |

Change of policy Intent in Code Zones - compared to City of Norwood Payneham & St Peters Development Plan

Land Use Distribution

Development Plan zones are each typically focused on a limited range of land uses such as residential, light industrial, local scale shopping etc. Mixed use zones are applied in appropriate areas, and with an appropriate range of land uses. In the draft Code, the distribution of anticipated land uses indicates a clear and intentional step away from basic land use planning. The Code Zones have shifted away from homogenous land use zoning and have introduced a much broader, more flexible juxtaposition of land uses. For example, there is an increase of non-residential land uses anticipated in residential zones and vice versa, an increase in permissible floor areas in many commercial zones and current office or industrial zones are transitioning to zones with a much broader mix of non-residential land uses. There is also considered to be insufficient policy strength to manage potential land use conflicts. It is unclear why this approach has been adopted in the Code and a greater level of research, evidence and justification is required.

In being more flexible towards land use distribution and zone hierarchy, the draft Code facilitates development that would not be possible (and in some instances listed as non-complying) under current policy. No satisfactory evidence, research or modelling has been provided to demonstrate why such a significant shift is warranted. This change will have significant impacts on small business and main streets such as The Parade – issues which the Commission has not justified with reasons for this significant change in direction.

Residential Zones

Residential zones have also been significantly standardised in the draft Code. Some residential zones such as the Suburban Neighbourhood Zone include Technical Numerical Variations (TNVs) allowing existing Development Plan requirements for site area and frontage width to be carried across into the Code. (However, the 'no further subdivision' policies currently applied in this Council's Residential Character Zones have been omitted in the draft Code, as discussed further in this submission.) Other residential zones, such as the General Neighbourhood and Housing Diversity Neighbourhood Zones, do not include TNVs for site areas or frontage widths so the same figures will consistently apply wherever this zone is applied across the State. Of particular concern, the Housing Diversity Neighbourhood Zone anticipates densities of 70 dwellings per hectare regardless of dwelling type; this 'one size fits all' approach is not considered appropriate in any of the locations proposed within this Council (including parts of the Historic Conservation Zone).

Subzones

The Council has not been offered any subzones, which were advised in the Blueprint for the Planning and Design Code (2018) as being the only policy layer to cater for local variation and reflect nuanced local requirements for new development. With no subzones to accommodate numerous current Development Policies that have not carried across to the standardised zones and overlays, the result is that the new Code policies do often not reflect the existing or desired development outcomes in those areas.

Significant changes to policy, zones and subzones in the draft Code are required in order to adequately replace the existing suite of Development Plan Zones. The Council's submission rejects many parts of the Code, unless suitable subzones can be created, to ensure localised development outcomes are not compromised. Again, a significant impact which has not been justified to the community.

Local policy content has not been retained in the Code.

Large amounts of important, detailed and nuanced local policy content has been omitted in the transition from the current Development Plan to the draft Planning and Design Code.

The original intention and advice was that important local characteristics would be accommodated in the Code's new structure, through the use of subzones, which would be formulated with councils during the transition process.

The advice included:

Significant and important local characteristics can be recognised.

A subzone may incorporate a local variation, or variations (within defined parameters), to reflect a clearly special unique attribute or characteristic, provided it does not conflict with the Desired Outcome(s) of the zone.

With this in mind, feedback from councils and stakeholders through the transition to the Code will be imperative to identify any important unique local characteristics that warrant application of a subzone.

(State Planning Commission - South Australia's Planning and Design Code How Will it Work Technical Discussion Paper)

The Council's Development Plan contains policy arranged as follows:

- 23 zones (locally specific)
- 52 policy areas (locally specific across residential and non-residential areas)
- 11 Concept Plans (locally specific)

The Commission's draft Planning and Design collapses this scope and structure into:

- 14 zones (generic)
- 1 sub zone (locally specific)
- 0 Concept Plan
- Various Overlays (generic)

Furthermore, feedback from the Council was not sought on this structure or content in transitioning to the draft Code. It is unclear, whether or how, this large number of local policies set out in this submission, will be re-inserted into the Code to enable a more locally specific and relevant policy suite.

Without a collaborative process in place to identify and discuss how important local policy requirements could be retained in the Code, the Council was arbitrarily allocated the 14 zones, 1 sub zone and no Concept Plans in the Code.

The draft Code does not provide any meaningful subzones that would reflect local policy. The single sub zone which has been offered in the draft Code applies reduced setbacks on Dequetteville Terrace. This is a totally inadequate structure and scope to accommodate all of the local policy detail currently provided by the Development Plan.

While there are multiple Overlays as part of the Code's structure, these are generic in application and do not accommodate the nuanced, detailed and more comprehensive local policies that have been lost from the Development Plan.

Lack of detail on these key policy requirements, results in a more ambiguous and compromised assessment environment, with the potential to lead to greater appeals against the Assessment Manager

or the decisions which are made by Council Assessment Panels. A poorer standard of development will result, due to the inability of an assessing planner (or Panel) to point to detailed reasons or requirements in the Code, as to why an application does not meet the previously expected design and siting standards.

The following table (Table 4) demonstrates a broad summary of the many policies that have been removed from the current Development Plan.

TABLE 4: REMOVED DEVELOPMENT PLAN POLICY – ZONE LEVEL

| CODE ZONES - LOSS OF POLICY AND CHANGE IN POLICY INTENT | |
|---|--|
| RESIDENTIAL ZONE Removed Policies: | |
| Opportunities to redevelop sites in close to proximity to Linear Park (DCS) | |
| Enhancement of public realm through cultural or art installations (DCS) | |
| Non-residential development of a scale that serves local community (PDC 4) | |
| Multiple numeric parameters changed – refer to <i>Detailed Zone Analysis and Recommendations</i> | |
| Payneham South & Victoria Street Payneham: alterations to pre 1940s dwellings preserve original features and form fronting the street (PDC 9) | |
| Semi-detached to present as single dwelling (PDC10) | |
| Advertisements and signage only for identification on non-residential premises and complement scale and building form (PDC13) and various advertisements are non-complying (PDC 15) | |
| No policy guidance for signage in Suburban Neighbourhood, General Neighbourhood or Housing Diversity Neighbourhood | |
| Non-complying list of multiple land uses (PDC 15) | |
| RESIDENTIAL ZONE – Medium Density Policy Area Removed Policies | |
| Minimum floor area requirements for dwellings (DCS and PDC 6) | |
| Requirement for built form transition in scale and mass down to adjoining residential development outside Policy Area (DCS and PDC 3) | |
| Adelaide Caravan Park specific policy (DCS and PDC 4) | |
| Concept Plan Figure R/1 removed | |
| Specific policy for localities: Firle, Payneham Road Corridor, Marden District Centre, River Street / Glenbrook Close, Joslin (DCS) | |
| Arterial Road development > 2 storeys contains a mix of residential & non-residential (PDC 2) | |
| Multiple numeric parameters changed – refer to <i>Detailed Zone Analysis and Recommendations</i> | |
| RESIDENTIAL CHARACTER ZONE Removed Policies | |
| New dwellings make reference to architectural detail of surrounding pre-1940s dwellings (roof forms, eaves, front verandahs, window proportions, materials & finishes) (DCS)(PDC 10, 11, 12) | |
| Front and side fencing (visible from street) and landscaping are important streetscape features. Front fencing is low, open style unless on an arterial road or required to provide POS (DCS) | |
| Non-residential development of a scale that serves local community (PDC 2) | |
| Two storey additions or dwellings designed with mostly single storey streetscape appearance (PDC 6 with Figures 15, 16 & 17) and minimised and articulated to be visually recessive (PDC 7) | |
| Limited number and width of driveway crossovers (PDC 8) | |
| Semi-detached to present as single dwelling (PDC 13) | |
| Alterations and additions to pre-1940s dwellings not alter key dwelling features (PDC 14) | |
| Landscaped front gardens (PDC 15) | |
| Advertisements and signage only for identification on non-residential premises and complement scale and building form (PDC16) and various advertisements are non-complying (PDC 15) | |

| CODE ZONES - LOSS OF POLICY AND CHANGE IN POLICY INTENT | |
|--|--|
| RESIDENTIAL CHARACTER ZONE – Evandale/Maylands/Stepney Policy Area | |
| Removed Policies | |
| No subdivision in: Evandale – Morris, Elizabeth & Wellesley Streets Maylands – Phillis & Frederick Streets (DCS and PDC 5) | |
| Group dwellings acceptable in: Evandale & Payneham Hammerhead allotments acceptable in: Maylands, Evandale, Payneham (DCS and PDC 2, 5) | |
| Multiple numeric parameters changed or missing – refer to <i>Detailed Zone Analysis and Recommendations</i> | |
| RESIDENTIAL CHARACTER ZONE – Hackney | |
| Removed Policies | |
| Land division limited to Hackney Road (DCS & PDC 5) | |
| Multiple numeric parameters changed or missing – refer to <i>Detailed Zone Analysis and Recommendations</i> | |
| RESIDENTIAL CHARACTER ZONE – Heathpool / Marryatville Policy Area | |
| Removed Policies | |
| No subdivision in: Heathpool: Heathpool Rd, Northumberland St, and west of Hanson Ave: Rothbury Ave & Stannington Ave Marryatville: west of Clapton Road sites less than 1000sqm (DCS & PDC 5, 6) | |
| Multiple numeric parameters changed or missing – refer to <i>Detailed Zone Analysis and Recommendations</i> | |
| RESIDENTIAL CHARACTER ZONE – St Peters / Joslin / Royston Park | |
| Removed Policies | |
| No subdivision in: St Peters: Ninth Ave, Seventh Ave (Between Stephen Tce & Harrow Road) Joslin: Seventh Ave (DCS & PDC 6) | |
| St Peters & College Park: Semi's only where garaging is at the rear (DCS & PDC 2) | |
| No hammerhead, battleaxe or similar allotments (PDC 5) | |
| Multiple numeric parameters changed or missing – refer to <i>Detailed Zone Analysis and Recommendations</i> | |
| RESIDENTIAL CHARACTER ZONE – Trinity Gardens / St Morris | |
| Removed Policies | |
| No subdivision in: Trinity Gardens: Canterbury Ave, Hereford Ave, Lechfield Cr, Albermarle Ave (between Canterbury and Hereford Ave) St Morris: Green St, Thomas Ave, Seventh Ave, Breaker Street (south of Fifth Ave) | |
| No hammerheads in Trinity Gardens (DCS & PDC 4) | |
| Multiple numeric parameters changed or missing – refer to <i>Detailed Zone Analysis and Recommendations</i> | |
| RESIDENTIAL CHARACTER (NORWOOD) ZONE | |
| Removed Policies | |
| DCS provides extensive local context eg: rectilinear pattern, various house styles and eras, strong pre-1940s development, | |
| No subdivision in: Areas identified in FigRC(N)/1 (DCS & PDC 20) | |
| Single storey appearance & maintain character features in areas identified in FigRC(N)/1 (DCS & PDC 6, 13, 14) | |
| Two-storey development well-articulated and visually recessive (DCS & PDC 7) | |
| Non-residential – limited size, along arterial roads, history of non-res use (DCS & PDC 2) | |
| One dwelling can be converted into two, provided front external appearance is maintained (PDC 8) | |

| CODE ZONES - LOSS OF POLICY AND CHANGE IN POLICY INTENT | |
|---|--|
| Semi-detached dwellings present as a single building (PDC 16) | |
| Row dwellings only developed with access from laneway (PDC 17) | |
| Undercroft garaging only allowed on western side of Osmond Tce (PDC 18) | |
| Rear access garaging where there is a rear lane (PDC 19) | |
| Advertisements only for non-res land uses and home based businesses & appropriate scale (PDC 21) | |
| RESIDENTIAL HISTORIC (CONSERVATION) ZONE | |
| Removed Policies | |
| Local Context | |
| Desired Character Statements (DCSs) have been removed and the proposed Zones provide limited detail on the local context. The existing DCSs were carefully crafted and have evolved since 1990s, standing the test of time and facilitating good outcomes that are suited to each locality within the City. | |
| Specific Policy Detail omitted from Historic Conservation Zone | |
| <ul style="list-style-type: none"> • Policy governing not rendering or covering original brickwork and stonework • Policy specifying dwelling types – (eg detached, semi-detached) • Site coverage consistent with buildings which contribute to character • Policy governing not rendering or covering original brickwork and stonework • Wall height and window placement • Vertical and horizontal proportions • Minimisation of unbroken walling, treatment of openings, depths of reveals • Roof form, pitch and colour • Verandah, balconies and eaves detail • Upper level in the roof space or not resulting in excessive mass or overshadowing • Total width of upper level windows not exceeding 30% of total roof width • Corner site redevelopment to address both frontages • Use of stone, brick, natural coloured bagged render and/ or brick as main external wall finish • Avoidance of brightly coloured or highly reflective materials/ surfaces • Development not fronting an unserviced laneway • Historic Guidelines Table NPSP/4 (illustrated design principles) • Carports/ garages not extending verandah elements or historic detailing across the same alignment as main face of building • Not incorporating undercroft carparking not consistent with historic character • Garaging to rear of allotment where laneway exists • Row dwelling garaging to the rear • Retention of front gardens and substantial landscaping • Fencing to not restrict visibility of dwelling • Fencing material and height detailed for each Policy Area | |
| MIXED USE HISTORIC (CONSERVATION) ZONE | |
| Removed Policies | |
| Desired Character Statement contains extensive local context, as well as: | |
| <ul style="list-style-type: none"> • Commercial land use in historic buildings • New buildings integrated but not mock historic • Building setbacks consistent and verandahs over footpaths where appropriate (also PDC 6) • Alterations to retain original material • No reflective or bright colour schemes • Carparking required at rear | |
| Restore heritage places and Contributory Items, compact extensions acceptable (PDC 2, 3) | |

| CODE ZONES - LOSS OF POLICY AND CHANGE IN POLICY INTENT | |
|---|--|
| Land Uses: office & consulting rooms; residential in appropriate locations but not in Portrush Rd P.A (PDC 4) | |
| Residential development: (PDC 9) | |
| <ul style="list-style-type: none"> • In original dwellings • Above ground level in development > 1 storey • Where compatible with surrounding development | |
| Complement but not reproduce development with: Architectural detail, roof forms, designs, frontage widths, materials ,colours, fences, landscaping (PDC 5) | |
| Coherent street frontages: signs, canopies, shopfronts, visual interest | |
| Bulk, scale, visual interest equal to other buildings in the streetscape where the building is: | |
| <ul style="list-style-type: none"> • Strategic/prominent location • Termination of a vista • Strong street presence (PDC 6) | |
| Maintain prominence of heritage & Contributory Items (PDC 7) | |
| Historic Guidelines Table NPSP/4 (illustrated design principles) (PDC 11) | |
| Poor appearance of Contributory Item doesn't justify demolition (PDC 13) | |
| Garages/carports: (PDC 16) | |
| <ul style="list-style-type: none"> • Behind façade • Garage doors not visually dominate • Not an extension of verandahs/ roof forms • Designed to enhance no diminish character • No undercroft where not in keeping with historic character | |
| Car Parking (PDC 17) | |
| Basement / at grade beneath occupied areas of buildings not in: | |
| <ul style="list-style-type: none"> • Dequetteville Tce, Fullarton Road (except Rundle St corner), Payneham Rd, Portrush Rd, The Parade. | |
| Car parking at rear (PDC 6) | |
| Guidelines for advertisements (discreet, low scale, compatible etc) (PDC 18, 19) | |
| Multiple numeric parameters changed or missing – refer to <i>Detailed Zone Analysis and Recommendations</i> | |
| MIXED USE HISTORIC (CONSERVATION) ZONE – Dequetteville Tce Policy Area | |
| Removed Policies | |
| Vehicle movement dominated by Dequetteville Tce (DCS) | |
| Tourist accommodation an acceptable use (PDC 2) | |
| Contributing pre-1940s buildings not demolished (PDC 5) | |
| MIXED USE HISTORIC (CONSERVATION) ZONE – Kensington Policy Area | |
| Removed Policies | |
| The Parade provides the primary vehicle access other than if the development fronts the following which are also appropriate for vehicle access: Hill St, Shipsters Rd, Bowen St, Phillips St (DCS) | |
| Contributing pre 1940s buildings not demolished (PDC 3) | |
| MIXED USE HISTORIC (CONSERVATION) ZONE – Payneham Rd Policy Area | |
| Removed Policies | |
| New development retains original elements: verandahs, façade treatments (windows and entrances), parapets, shopfront detail (DCS & PDC 4) | |
| Payneham Road provides primary vehicle access. Shared access and parking where practical (DCS) | |
| Land uses: (local scale) shops, offices, consulting rooms, residential, administrative, civic/cultural compatible with historic buildings (Obj 3 & PDC 2) | |
| Shops on Payneham Rd north of St Peters Street (PDC 3) | |

| CODE ZONES - LOSS OF POLICY AND CHANGE IN POLICY INTENT | |
|--|--|
| MIXED USE HISTORIC (CONSERVATION) ZONE – Portrush Rd Policy Area | |
| Removed Policies | |
| Land uses: mix of residential and commercial (i.e. office and consulting rooms) in adapted historic buildings (DCS & PDC 3) | |
| Portrush Rd to provide primary vehicle access (DCS) | |
| Development reinforces architectural elements of heritage places & Cls: bulk, roof form and pitch, window and door opening, verandahs (PDC 4) | |
| MIXED USE HISTORIC (CONSERVATION) ZONE – The Parade/Fullarton Rd Policy Area | |
| Removed Policies | |
| Buildings facing Fullarton & The Parade have deep setbacks & substantial landscaping. Leafy Avenue character. (DCS) | |
| The Parade, Fullarton Rd, Rundle St, Little Dew St provide primary vehicle access (DCS) | |
| Key Development Areas introduced through 2017 Ministerial sites DPA – various policy content and design parameters (DCS & Fig MUH(C)/1) | |
| Contributing pre 1920s buildings not demolished (PDC 3) | |
| URBAN CORRIDOR | |
| Removed policies | |
| Desired Character Statement: | |
| <ul style="list-style-type: none"> Area will play significant role in contributing to overall population targets for eastern region Development focused on primary road corridors – development on minor streets is smaller scale Hackney Rd/ Dequetteville Tce are primary freight routes. North Tce is a secondary freight route Kent Town = creative industry hub – temporary and permanent art encouraged North Tce, Hackney, Magill, Fullarton, Rundle, The Parade West, King William Street. Non-residential at ground floor. Residential development only above ground floor Dequetteville Tce and non-primary road corridors: wholly residential buildings are appropriate Business policy area: wholly commercial buildings up to 3 levels are appropriate Buildings with both short and long term accommodation – clearly delineate one from the other Retail activity = scale that supports businesses and residential Net residential densities = 60 to 100 dw/ha. Additional 560 dwellings by 2040. Development considerate of residential interfaces Development considerate of adjacent SHPs/LHPs (may limit development potential) Some sites may be contaminated – precautionary approach Car parking mostly below ground behind active frontages Building envelope (30° angle changed) prevails over building height maximum (PDC 13) | |
| Key Development Areas – various policy content and design parameters (DCS & Fig UrC/1) | |
| Differences in anticipated land uses – further detail in <i>Detailed Zone Analysis and Recommendations</i> | |
| Concept Plans Fig UrC/1 UrC/2 | |
| Buildings on sites >10m = well-articulated, variations in materials openings etc (PDC 9) | |
| Development orientated towards public open space (PDC 9) | |
| No solid fencing between front building line and the street (PDC 10) | |
| Minimise access onto arterial roads (PDC 11) | |
| Building Envelope – NPSP policy is 30° angle, Code is 45° angle and prevails over maximum height (PDC 13) | |

| CODE ZONES - LOSS OF POLICY AND CHANGE IN POLICY INTENT | |
|--|--|
| URBAN CORRIDOR – Boulevard Policy Area | |
| Removed policies | |
| Dequetteville Tce: residential uses (including serviced apartments, tourist accommodation) plus small scale non-res uses which provide services to residents | |
| North Tce, Magill Rd, Fullarton Rd, Hackney Rd: ground & first floor = offices, consulting rooms, retail showrooms, educational establishments, small showrooms. Convenience shops acceptable. | |
| Residential above non-residential | |
| Rundle St: 'high street' character, retail and pedestrian spaces (DCS) | |
| Brewery Apartment 'towers' dominant landmark (DCS) | |
| Contemporary design, bold materials, prominent pedestrian entrances (DCS) | |
| Dequetteville Tce & North Tce: landscaped front and side setbacks. | |
| Larger sites: encourage pedestrian permeability through Kent Town & Park Lands (DCS) | |
| Key Development Areas – extensive development guidance removed (DCS) | |
| URBAN CORRIDOR – Business Policy Area | |
| Removed policies | |
| Wholly commercial buildings or residential above ground and first floor commercial (DCS)(PDC2) | |
| Retail limited to small scale cafes serving local population (DCS) | |
| Shop GFA max 500m2 (PDC 2) | |
| Some light industry & warehousing in appropriate areas (DCS) | |
| Light Industry, Service Industry, Store, Warehouse (PDC 1) | |
| Light industry should comprise tech/research (PDC 4) | |
| Motor repair – development should not increase intensity of existing (PDC 5) | |
| Contemporary design, bold materials, hard edge along King William St (DCS) | |
| Car parking behind or below buildings. Access from Little King William & Little Rundle St | |
| On-street parking retained (DCS) | |
| URBAN CORRIDOR – High Street Policy Area | |
| Removed policies | |
| Retail / pedestrian hub with specialty shops, cafes etc (DCS) (pdc 1) | |
| Shops up to 1000m2 other than in Area H (Caroma) up to 2000m2 (PDC 2) | |
| Primary road corridors: Rundle St, The Parade West, Magill Rd – focus of pedestrian & cyclist movement | |
| Access via rear laneways not primary road corridors (DCS) | |
| Key Development Areas – extensive development guidance (DCS) | |
| District Centre (Norwood) Zone | |
| Removed Policies | |
| Retail ground floor; office, consulting and residential above ground level (short or long term) (DCS & PDC 3, 5) | |
| Large floor retailing in Retail Core (DCS)(PDC 4) | |
| Concept plans: Fig DCE/1 to Fig DCE/4 | |
| Outdoor dining encouraged (DCS) | |
| Entertainment: cinemas/theatres supported. Nightclubs, adult entertainment, adult products not supported (DCS) | |
| Prominent buildings: Norwood Town Hall, Norwood Hotel, churches at The Parade/Portrush Road intersection (DCS) | |
| Development considerate of adjacent SHPs/LHPs (may limit development potential) (DCS) | |
| High quality materials which complement (not replicate) heritage buildings. No visible tilt-up concrete. Shopfronts have visible foyers, display windows, no roller shutters (DCS) | |
| New vehicle access on The Parade not desirable | |
| Public car parking increased over time (DCS) | |
| The Parade is pedestrian focus – pedestrian links to Webbe St carpark and James Coke Park (DCS) | |
| Max 100sm2 floor area per dwelling (PDC 6) | |

| CODE ZONES - LOSS OF POLICY AND CHANGE IN POLICY INTENT |
|---|
| Building Envelope Policy: NPSP is 30° angle, Code is 45° angle and prevails over maximum height (PDC 9) |
| Front setbacks maintain the traditional pattern of development (PDC 11) |
| FFL of buildings and outdoor dining areas same level as the adjacent footpath (all access points to match footpath level) (PDC 14) |
| Advertisements to not adversely affect historic character of The Parade (PDC 18) |
| District Centre (Norwood) Zone – Retail Core Removed Policies |
| Pedestrian scale – clearly defined podium maximum building height of 3 storeys or 11.5m (PDC 3) |
| Key Development Areas – extensive development guidance (DCS) |
| District Centre (Norwood) Zone – The Parade East Removed Policies |
| Lower intensity than Retail Core. |
| Non-res at ground level, residential above (DCS) |
| Development respects SHPs (church and former church) on The Parade/Portrush Road intersection (DCS) |
| Redevelopment of water tower site will improve amenity of residents in Cairns St (DCS) |
| Preferred vehicle access: Queen St & Rear Laneways (DCS) |
| District Centre (Norwood) Zone – The Parade West Removed Policies |
| Lower intensity than Retail Core (DCS) |
| Small to medium specialty shops, small retail showrooms, consulting rooms, restaurants, offices, health & fitness (DCS & PDC 2) |
| Residential above non-residential (DCS) |
| North of The Parade: vehicle access via Sydenham Road, Woods St, Beyer St |
| Car parking at rear with rear access (DCS) |
| DISTRICT CENTRE (ST PETERS) ZONE REMOVED POLICIES |
| Cultural and civic focus of the area in south west part of zone (Obj 2) |
| NEIGHBOURHOOD CENTRE ZONE Removed Policies |
| Buildings to maintain traditional pattern and reinforce street space (PDC 2) |
| Contemporary architecture sympathetic of traditional building scales including decorative parapet fronts and verandahs (PDC 3) |
| Enhance pedestrian movement along main road frontages with awnings and pergolas (PDC 4) |
| Development compatible with design and character sought for adjoining Kensington 1 Policy Area of Historic (Conservation) Zone (PDC 5) |
| Expansion of Marryatville Hotel limited to site at 5 August 1993 (PDC 6) |
| Car parking and service areas to rear of sites and not include basements, part basement or at grade beneath occupied areas (PDC 7) |
| Two storey height limit. Up to 6 storeys anticipated in P & D Code (PDC 6) |
| Average site area per dwelling min. 120m ² (PDC 10) |
| Advertisements to reflect traditional arterial road shopping strip (PDC 11) |
| Non-complying multiple uses (PDC 13) |
| NEIGHBOURHOOD CENTRE ZONE Marryatville Policy Area |
| Consolidate existing centre and position in relation to Tusmore Shopping Centre (DCS) |
| Consolidate car parking areas at rear and access via Kensington Road or Shipsters Road or via car park to Tusmore Shopping Centre (DCS) |

| CODE ZONES - LOSS OF POLICY AND CHANGE IN POLICY INTENT |
|--|
| Vehicular access arrangements should not increase traffic volumes in Dudley Road (DCS) |
| NEIGHBOURHOOD CENTRE ZONE Magill Road Policy Area |
| Consolidate existing centre and recognise buildings on northern side of Magill Road (DCS) |
| Consolidate car parking areas at rear of properties (DCS) |
| Car parking access from Magill Road and secondary access from Edward or George Streets (DCS) |
| LOCAL CENTRE (ST PETERS) ZONE Removed Policies |
| Maximum shop floor area 250m ² (PDC 2) |
| LOCAL CENTRE (NORWOOD) ZONE Removed Policies |
| Small scale specialty and convenience shops, restaurants & offices (Obj 1, PDC 1) |
| Maximum shop floor area 450m ² (PDC 2) |
| Buildings contemporary but reflective of traditional building scale etc including decorative parapet fronts & verandahs) (PDC 4) |
| Appropriate advertisements (specified types for below canopy, canopy, above canopy) (PDC 11) |
| Average dwelling site 120m ² (PDC 10) |
| BUSINESS ZONE Removed Policies |
| Residential development only in specified locations: <ul style="list-style-type: none"> West Norwood Policy Area – above ground level on arterial roads Magill Road West Policy Area – above ground level on Magill Road, wholly residential behind Magill Road |
| Development adjacent RHCZ should respect the character of that zone (PDC 4) |
| Car parking located at the rear or in basement other than: <ul style="list-style-type: none"> West Norwood policy area east of Charles street Beulah road policy area Magill road east policy area |
| Where basement car parking shouldn't occur (PDC 5) |
| Basement, part basement, at grade beneath buildings car parking should not interrupt the streetscape (PDC 6) |
| Vehicle access dominated by: <ul style="list-style-type: none"> Fullarton Rd, The Parade, Kensington Rd in West Norwood Policy Area Beulah & Sydenham Rd in Beulah Rd Policy Area Magill Rd in Magill Rd West & Magill Rd East Policy Area The Parade And Bowen Street in Kensington Policy Area (DCS) |
| 2 storey development other than in West Norwood & Magill Road West where development containing residential can be 3 storeys (PDC 7) |
| Office / consulting rooms max 250m ² other than West Norwood where it's 500m ² (PDC 8) |
| Articulated facades; no continuous facades greater than 20m |
| Appropriate advertisements (specified types of below canopy, canopy, above canopy) (PDC 10) |
| Various non-complying uses – Motor repair station is non-complying but will be an envisaged use (PDC 12) |
| High standing of landscaping in West Norwood Policy Area (DCS) |
| Vehicle movement dominated by Fullarton rd. The Parade and Kensington Rd (DCS) |
| LOCAL OFFICE ZONE Removed Policies |
| Primarily Commercial and Professional Offices Serving Nearby Residents (Obj 1 & PDC 1) |

| CODE ZONES - LOSS OF POLICY AND CHANGE IN POLICY INTENT | |
|---|--|
| St Peters area – no more than a minor increase in traffic (PDC 4) | |
| MIXED USE A ZONE | |
| Removed Policies | |
| Offices, retail showrooms and warehouses with residential (PDC 1) | |
| Residential development minimise conflict with non-residential by taking into account existing sources of noise/air pollution | |
| Car parking at rear (PDC 5) | |
| No basement, part basement or at grade beneath building car parking, other than between chapel street and Magill road (PDC 6) | |
| Basement, part basement or at grade parking visually screened from street (PDC 7) | |
| Two storey other than residential development on arterial roads which is three storey (PDC 8) | |
| 120m2 average dwelling site area (PDC 9) | |
| Appropriate advertisements (specified for ground level, below canopy, canopy, above canopy) (PDC 10) | |
| MIXED USE B ZONE | |
| Removed Policies | |
| Small scale offices and consulting rooms with residential use (Obj 1) | |
| Restore and rehabilitate existing buildings for non-residential use (PDC 2) | |
| New buildings complement character and scale of area, other than Dequetteville Tce South PA where a larger bulk & scale is appropriate (PDC 3) | |
| Car parking at rear (PDC 4) | |
| No basement or similar parking in non-residential buildings (PDC 5) | |
| Carports & Garages with street frontage integrated in main building envelope (PDC 6) | |
| Development with more than 3 dwellings provided with single access point (PDC 7) | |
| Two storey except res development on arterial roads which is 3 storey (8) | |
| Appropriate advertisements (styles specified for ground level & below canopy level) PDC 10 | |
| COMMUNITY ZONE | |
| Removed Policies | |
| Various educational and community uses appropriate. Shops, offices and consulting rooms only where they're in association with a community, recreational or education use (PDC 2) | |
| <i>Note bespoke public notification triggers</i> | |
| COMMUNITY ZONE – Education Policy Area | |
| Removed Policies | |
| Education & recreational activities (Obj 1) | |
| Points covered in DCS: | |
| <ul style="list-style-type: none"> • Res development where it is associated with educational use • Scale & character of surrounding residential areas • Advertising only for identifying education facilities • On-site parking provided for additional demand • PAC: main building is important. No new buildings between the main building & Dequetteville Tce SHP at 19 Flinders St to remain prominent. • Loreto: significant historic buildings, no new buildings between these and the frontage. Dev adjacent Res Character Zone of an appropriate scale • St Ignatius: no buildings along Portrush Rd frontage. Church on Queen/William maintained as visually significant building • Marryatville Primary: consolidate established scale and siting of buildings • Marden SC: no additional access to Marden Rd or Lower Portrush Road • Former Sanitarium site (Hackney Rd) developed as extension to St Peters College – noise, activity, traffic, buiding scale compatible with surrounding residential development. • Schools adjacent RHCZ to complement historic character | |

| CODE ZONES - LOSS OF POLICY AND CHANGE IN POLICY INTENT | |
|---|--|
| Shops ancillary to educational use & max 250m2 OR a community market (PDC 3) | |
| Buildings of a domestic scale (PDC 5) | |
| Buildings: (PDC 6) | |
| <ul style="list-style-type: none"> • Conserve heritage value; • Front setback commensurate with other buildings; • Max wall height is 3m where within 5m of boundary; • Max wall height is 8m where within 10m of boundary | |
| Buildings reduced in scale and activity in close proximity to residential, separated by setbacks and landscaping, no loss of visual privacy (PDC 7) | |
| COMMUNITY ZONE – Recreation Policy Area | |
| Removed Policies | |
| Sporting, entertainment, cultural, recreational activities (Obj 1) | |
| Points covered in DCS: | |
| <ul style="list-style-type: none"> • Dunstone Grove-Linde Reserve: range of recreational facilities; buildings limited to single storey • St Peters Parish Church & Agnes Goode Kindergarten: strengthen connections to the Reserve • Marden: MARS, Azzurri Club, practice pitches; no additional access points on Marden Rd or Lower Portrush Road; sufficient car parking provided | |
| Shops only in association with recreation activities etc OR community market (PDC 2) | |
| No additional allotments to be created (PDC 5) | |
| RECREATION ZONE | |
| Removed Policies | |
| Development associated with Norwood Oval (Obj 1) | |
| Recreational uses, secondary entertainment and office use (PDC1) | |
| Landscaping in open car parking areas (PDC 3) | |
| Above ground car parking integrated with adjoining buildings and screened (PDC 4) | |
| Basement/part basement parking visually screened (PDC 5) | |
| Three storeys (PDC 6) | |
| 120m2 average site area p/dwelling (PDC 7) | |
| Appropriate advertisements (styles specified) (PDC 8) | |
| LINEAR PARK (RIVER TORRENS) ZONE | |
| Removed Policies | |
| River Torrens and environs (Obj 1) | |
| Buildings blend with landscape (PDC 3) | |
| No vehicle crossings through the park to connect an allotment to a public road (PDC 4) | |
| Development should not have negative impacts on Linear Park (PDC 5, 6) | |

This extensive policy loss is not consistent with statements in the Blueprint of the Planning and Design Code (2018) that foreshadowed that subzones would be used to reflect important local characteristics. The City of Norwood Payneham & St Peters has only “received” one sub zone which made no impact on accommodating the vast the quantum of nuanced, localised policy requirements that have been removed from the Code.

Councils are best placed on the ground to know what communities are seeking through planning policy in the Code. The Commission’s one-size-fits-all policy model, without the necessary sub zones and local content restoration, the Planning and Design Code is unlikely to be reflective of Council or community expectations.

Policy Change in the Code – Heritage and Character

State and Local Heritage Place Overlay

Many of the heritage/historic overlay policies are very broad in their wording and do not provide sufficient instruction to an applicant on how to undertake development or to an assessment planner on how to assess an application. This is in direct contrast to the clear and detailed requirements presently set out in the current Development Plan. Specificity has been abandoned in favour of generalised and vague concepts which do not refer to any of the architectural and design requirements for new development in these sensitive areas. By not mentioning the detail of these design and siting characteristics in the policy, this will lead applicants to not consider these in the design and will not require specific attention or review in the development assessment process.

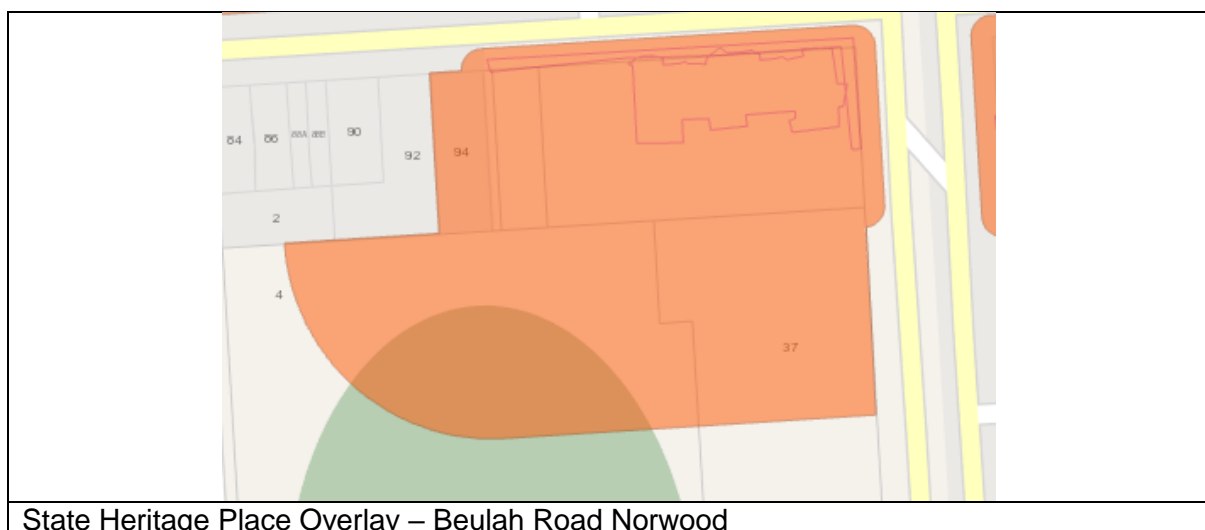
The net effect of this policy vacuum will make it easier for poor design to be approved – an outcome of relying on a system which provides scant regard to the principles of good urban planning and policy structure. A refusal by a planning authority will be challenged and potentially successful, if strong policy detail is absent. This is inconsistent with the overarching stated intent of the reforms in providing certainty and clarity for both applicants and communities.

The rationale for reducing both the clarity and extent of policy for the Heritage Place and Historic Area Overlay has not been provided at any stage during the process. If there are reasons for this decision then these should be articulated so that all stakeholders can understand the issues which the Commission is attempting to resolve and why the proposed approach has been selected in preference to providing clear and comprehensive assessment policies (currently available in the Development Plan).

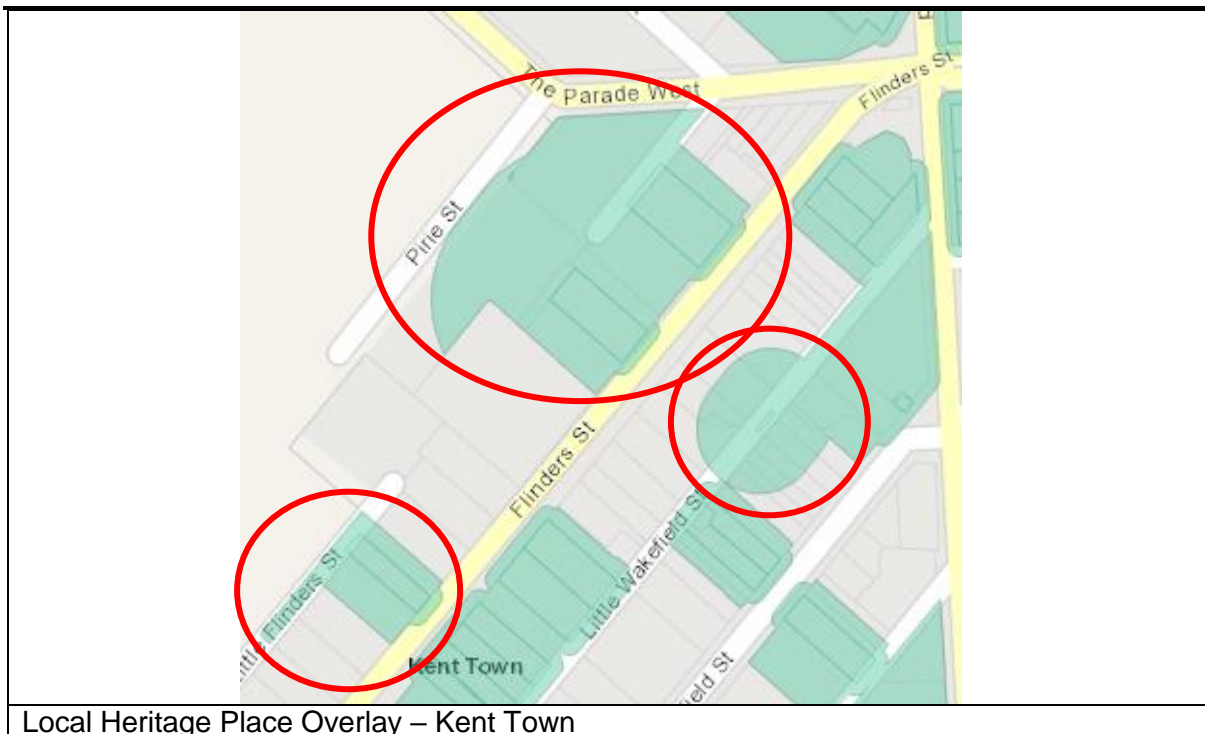
The NPSP Development Plan also contains a (largely pictorial) guide in Table NPSP/4 – *Design Guidelines for Heritage Places and Development in Historic (Conservation) Zones*, prepared by heritage architects for visual demonstration of the policy that is applicable to State Heritage Places, Local Heritage Places, Contributory Items and other buildings constructed prior to 1920/1940 and allocated within Historic (Conservation) Zones. The policy detail should be reinstated in the Code accompanied by a similar guide which is linked through the Code or accessible through the ePlanning system to assist with this reduction in policy guidance.

Spatial Application of State and Local Heritage Place Overlay

The spatial capture of adjacent sites within the State and Local Heritage Place Overlays requires review. In terms of the spatial application, although a consistent methodology has apparently been applied, there are several unusual outcomes as demonstrated below:



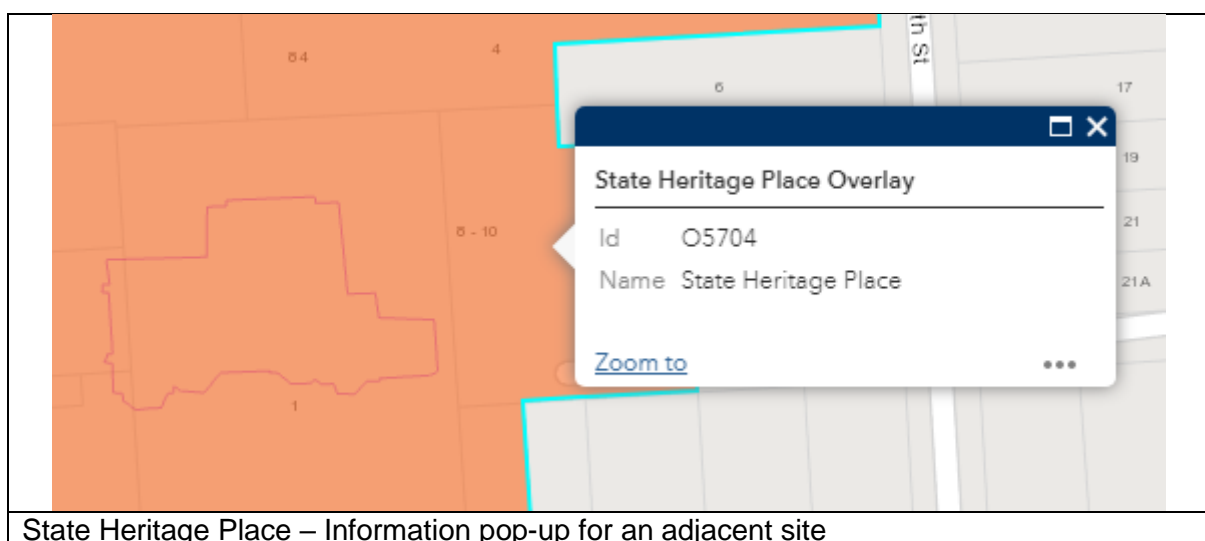
Page 40



In some instances, the overlays capture sites which are well removed from the heritage place, while elsewhere, land in close proximity is excluded. There appears to be no consistency in the way the overlays have been developed. There are significant procedural implications from being within the overlay, such as small ancillary structures being exempt from Accepted or Deemed to Satisfy pathways and in the case of State Heritage Places Overlay triggering a referral to State Heritage Branch.

Recommendation: the methodology, mapping and policy applying to adjacent sites be reviewed.

A property owner of an adjacent site enquiring on the online map could easily be confused by being captured in the overlays. The information pop-up and the 'Near Me' inquiry only identify the overlay as 'State/Local Heritage Place'. While the red outline does indicate the footprint of the Place, this is not obvious to the user and they would easily interpret this as their property being a Heritage Place, rather than an adjacent property.



Recommendation: the user information on the online map be improved to clarify the intended purpose of the Overlay.

State Heritage Place – Procedural Matters – Referrals

The Procedural Matters table in the State Heritage Place Overlay should be clearer as to when a referral trigger relates to a heritage place and/or an adjacent property. For example part (a) states:
“demolition of internal or external significant building fabric”

This is intended to apply to significant building fabric of a State Heritage Place, but this could be confused as applying to an adjacent site.

Recommendation: the referral table should clearly articulate which requirements apply directly to a Place, an adjacent site, or both.

While a significant development on some of these adjacent sites could have an impact on a Heritage Place, some forms of development on adjacent sites may have no appreciable impact. The table allows an exemption from a referral if the development is minor in nature. While this is supported, the relevant authority may consider a development to not warrant a referral but not be a *minor* form of development. For example, a new dwelling on an adjacent site could be sufficiently removed, but the relevant authority may not consider the development to be *minor in nature*.

Recommendation: include a referral exemption for development on adjacent sites which does not affect the State Heritage Place

State and Local Heritage Place – Procedural Matters – Notification

It is common for the demolition of a State or Local Heritage Place to require public notification in the interest of transparency, the contribution the building makes to the community, and in line with policies seeking the retention of the Place. The *Planning Bulletin Heritage 2001* in fact encouraged this:

It is suggested that ‘demolition’ of a local heritage place be designated as Category 2 development, consistent with the policies of the development plan advocating their retention

The Procedural Matters Table in the overlays do not require any notification for the demolition of a State or Local Heritage Place, contrary to current Development Plan policy. With respect to the Local Heritage Place Overlay, given that there is no statutory referral, the assessment timeframe for the demolition of a Local Heritage Place defaults to 4 weeks which is insufficient time for such a complex assessment, particularly as it would require (non-statutory) referrals to heritage advisors and structural engineers. The Council does not support the reduced public input and the compressed assessment timeframes for demolition of Heritage Places and buildings in the Historic Area Overlay in the Code.

Recommendation: require public notification for the demolition of State and Local Heritage Places and buildings in the Historic Area Overlay in the procedural matters tables

State and Local Heritage Place Policies

The development policies for State and Local Heritage Places are considered to be too generalised and do not adequately communicate expectations to applicants, or relevant authorities or adjoining property owners. There is also a significant policy gap in distinguishing between development *of* a Heritage Place and development *adjacent* to a Heritage Place.

The policies in the draft Code for State and Local Heritage Places have been reviewed and a revised suite of policies provisions recommended in **Attachment C**.

Recommendation: The wording and detail of State Heritage Place Overlay and Local Heritage Place Overlay be amended as set out in **Attachment C.**

Historic Area Overlay

Consistent with the State and Local Heritage Place Overlays, a review of the Historic Area Overlay policies demonstrates these also lack specificity, content and strength. The Council is also concerned by the proposed criteria regarding demolition. More detailed policies would assist applicants and the relevant authority. The policy does not include critical assessment elements and contains an over-emphasis on streetscape presentation, which neglects the importance of siting and impacts for adjacent property owners.

The Historic Area Overlay policies are inadequate for the assessment of applications in these former Historic Conservation Zones and do not have the support of the Council or the community (as measured through Council's recent survey of property owners). A more detailed, comprehensive, revised suite of policies provisions being recommended by the Council is contained in **Attachment D**.

Recommendation: review Historic Area Overlay policy to re-insert lost policy detail and in accordance with policy wording recommendations contained in Attachment D.

Contributory Items

This Council's (and indeed a number of other Councils') significant concerns with the proposed transitional arrangements for Contributory Items (CIs) have been well documented and due to the significance of this issue, have been shared with the Commission, the Environment Resources and Development Committee, DPTI staff and Members of Parliament.

In its most recent submission on this issue, the Council wrote to the Commission on 12 December 2019 and provided advice from Norman Waterhouse Lawyers detailing a legislative definition of Contributory Items, to enable these currently recognised buildings to be grandfathered across to the Code, as recommended by the Environment Resources and Development Committee of Parliament in its *Inquiry into Heritage Reform* (2019). The absence of a legislative definition for Contributory Items has been put forward by both the State Planning Commission and the Expert Panel as a major impediment for the transition of Contributory Items to the Code.

In discussions with the Council's Mayor and Chief Executive Officer, the Chair of the State Planning Commission offered the Council the opportunity to prepare and present a workable legal definition of Contributory Items to the Commission, to be given due consideration by the Commission.

The advice sent to the Commission, as an alternative legal opinion and solution for Contributory Items, is included in **Attachment E** and forms part of the requested changes contained in this submission.

Notwithstanding the previous correspondence from this Council, it is considered prudent to summarise the key points of this Council's concerns.

- Contributory Items in the City of Norwood Payneham & St Peters were identified in accordance with the State Government's *Planning Bulletin Heritage – 2001* and were processed through a comprehensive legislated process involving multiple reviews by different authorities and ultimately approved by the Planning Minister at the time;
- Contributory Items are clearly identified in the Development Plan and the retention of these buildings is supported by clear, but reasonable, Development Plan policies. This framework provides significant upfront information for property owners and prospective purchasers;
- the draft Code policies will require a case-by-case assessment of the demolition of **any and all** buildings within a Historic Area Overlay. This negates the thorough heritage surveys which were

previously undertaken (and the considerable resources used to formulate them) and will consume additional and unnecessary resources in reassessing many of these buildings and create greater uncertainty for property owners. Whilst the Commission continues to refute this claim, the facts remain unchallenged;

- the planning reforms sought to improve the planning system by providing greater efficiency and upfront certainty, but the proposed policy framework for current Contributory Items will achieve the opposite outcomes.

Recommendation: transition existing Contributory Items to the Code, with appropriate supporting policies.

Historic Area Statements

The draft Historic Area Statements prepared for this Council were not drafted at the time of consultation release and are not considered to be adequate or appropriate replacements for the extensive and detailed policies and Desired Character Statements contained in the Council's Development Plan. The Statements condense and omit considerable detail. For example, the Residential Historic (Conservation) Zone Policy Areas, specify the types of dwellings that are anticipated in that locality. The Statements do not specify envisaged dwelling types and in many cases, the range of dwelling types (and non-residential uses) anticipated at the zone level, are far greater than allowed for under current Development Plan policy.

Another important example is the range of maximum site coverage policies in the policy areas which are tailored to reflect the existing development pattern, ranging from 40% to 70%. The draft Code includes site coverage policies in the zone rather than the overlay and as such, the current Development Plan site coverage policies will be replaced with either a blanket 50% in the Suburban Neighbourhood Zone or no specified site coverage in the Housing Diversity Neighbourhood Zone. The Council has fundamental objection to the use of the Housing Diversity Neighbourhood Zone where the Historic Area Overlay applies as detailed in the Required Zone Changes table.

The Historic Area Statements also do not provide the same comprehensive policy setting as provided by the Desired Character Statements, the effect of which is combined with significantly reduced policy provisions at the Zone and Policy Area level. The Code Statements focus on key, quantifiable physical characteristics without acknowledging the context of the history and evolution of the area and without the nuanced design and siting characteristics guiding new development.

The Council was unable to gain clarification on the scope of the content that could be considered for inclusion in the Historic Area Statements, and for this reason, combined with the compressed timeframe for presentation to the Council, did not draft its own Historic Area Statements.

Regardless of whether the Historic and Character Area Statements were prepared by Council or prepared by DPTI staff, there has been a substantial reduction in the scope and function of these area statements.

Following publication of the Phase 3 Area Statements on 23 December 2019 mid-way through the consultation process, staff have prepared a revised version of three (3) of the Council's 31 Area Statements and submitted these for feedback from the policy drafters of the Code. The feedback provided on these revised Statements is that they are unable to contain policy that covers how future development should be assessed.

This policy framework is deficient – the Overlays are unable to accommodate important local policy requirements and the Area Statements are unable to accommodate “future-facing” policy.

A full suite of revised Historic Area Statements (and with the “lost” Development Plan policy content highlighted in yellow) are included at **Attachment F**.

Recommendation: the Historic Area Statements be reviewed and amended to cover important design and siting requirements for buildings in historic areas, in accordance with current Development Plan details and as indicated by the examples in Attachment F.

Character Area Overlay

The Council's *Residential Development (Zones and Policy Areas) DPA* in 2015, introduced 2 Residential Character Zones accompanied by extensive and detailed policy. Policy in the Residential Character Zone was tailored for 5 distinct policy areas and the Residential Character (Norwood) Zone was tailored to the unique mixed character of the area. Both zones contain strong land division control policies such as:

Evandale/Maylands/Stepney Policy Area Principle of Development Control 4

The division of land should not create a hammerhead, battleaxe or similar configuration allotment in Stepney.

Evandale/Maylands/Stepney Policy Area Principle of Development Control 5

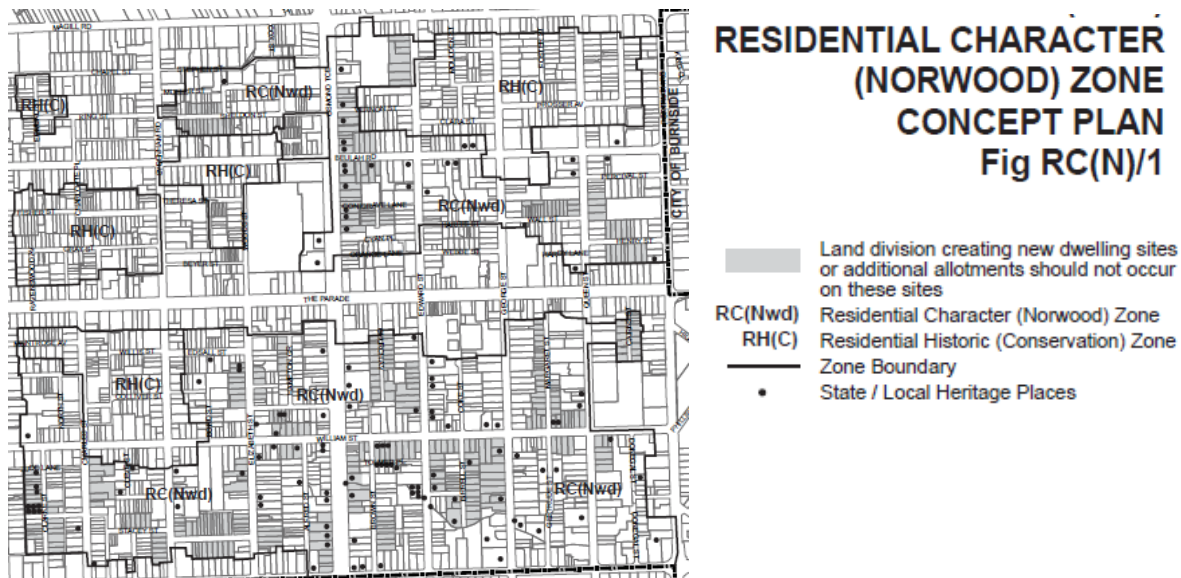
Land division creating additional dwelling sites should not occur:

- (a) in Evandale along Morris, Elizabeth and Wellesley Streets; and
- (b) in Maylands, along Phillis and Frederick Streets,
except where it involves:
 - (i) the redevelopment of existing multi-unit sites; or
 - (ii) the conversion of an existing dwelling into two (or more) dwellings where the building and the front yard maintain the original external appearance to the street.

Residential Character (Norwood) Zone PDC 20

Land division creating additional allotments or dwelling sites should not occur on sites identified on Concept Plan Fig RC(N)/1, except where it involves:

- (a) the redevelopment of sites containing existing multi-unit development; or
- (b) the conversion of an existing dwelling into two or more dwellings (with no substantial change to the building form).



Notwithstanding the use of TNVs for minimum site areas and frontage widths in most of the relevant areas, the Code as applied to the City of Norwood Payneham & St Peters does not contain any remotely similar Land Division policy.

The Council's Residential Character Zone policy area also provide very specific guidance as to appropriate dwelling types such as:

St Peters, Joslin, Royston Park Policy Area Desired Character Statement

Outside of this location in St Peters and College Park, infill development may comprise detached dwellings and semi-detached dwellings but in the case of semi-detached dwellings, only where vehicle access and garaging can be established entirely from adjacent rear laneways.

This level of local policy specificity is not reflected in the draft Code.

Detailed built form policy was another feature of the Council's 2015 DPA which has resulted in improved built form outcomes and has greatly assisted both the Council planners and applicants in the development assessment process. Examples of such policies that have not been transitioned to the Code include:

- **Residential Character Zone PDC 6 (in part):**
(c) in new or existing dwellings, a second storey component which is set back sufficiently behind a single storey component, so as to achieve a mostly single-storey appearance from the primary street frontage (refer to Figure 17 below).



Figure 17

- **Residential Character Zone PDC 9**
Undercroft and/or below ground garaging should not be developed within the zone
- **Residential Character Zone PDC 13**
Semi-detached dwellings should be designed to present as a single dwelling when viewed from the primary street frontage.

A comprehensive review of the Character Area Overlay policies as undertaken by the Council is contained in **Attachment G**.

Recommendation: review Character Area Overlay policy to re-insert lost policy detail and in accordance with policy wording recommendations contained in Attachment G.

Character Area Statements

As is the case with Historic Area Statements, the Character Area Statements prepared for the City of Norwood Payneham & St Peters, in combination with the loss of clear policies at the zone and Overlay level, represent significant change and are not an appropriate or accurate replacement for the Council's current policies and Desired Character Statements.

Examples of redrafted Character Area Statements, (and with important removed Development Plan policy content highlighted) are included at **Attachment H**.

Recommendation: the Character Area Statements be thoroughly reviewed and amended to cover important land division, design and siting requirements for buildings in character areas, in accordance with current Development Plan policy and as indicated by the examples in Attachment H.

Practice Guideline – (Interpretation of the LHP, HAO and CAO)

The Practice Guideline requires significant review to replace confusing and conflicting terminology and clarification of processes. The draft Practice Guideline (Interpretation of the Local Heritage Places Overlay, Historic Area Overlay and Character Area Overlay) 2019, released on 1 October 2019, attempts to elaborate on the intention of Code policy. The review which has been undertaken by the Council highlights that the purpose is not clear. Terminology which has been used is conflated and confusing, in particular in relation to Historic Areas (eg inter-changeably using structure, building, places etc) or not using terms to make meaning clear. The final Code should focus on robust and consistent expression, clarity and use of terms and providing a clear understanding of plans and information requirements for these applications and clarity of when an applicant needs to engage professional expertise.

Policy Change in the Code – Building Heights

As acknowledged in the Update Report released in December 2019, there is a need to review various building height policies in the draft Code.

‘Medium-rise’ development

Of particular concern is the use of the term ‘medium-rise’ (defined as 3 to 6 storeys) which appears on a number of occasions including, but not limited to:

- Business Neighbourhood Zone;
- Community Facilities Zone;
- Suburban Activity Centre Zone;
- Suburban Business and Innovation Zone; and
- Suburban Main Street Zone
- Housing Renewal General Development Policies.

‘Medium-rise’ is used in Performance Outcome policies and is often accompanied by a DTS policy either identifying a maximum building height in building levels or referring to a TNV, for example:

Business Neighbourhood - Building height and setbacks

PO 3.1

Buildings are of low-to-medium rise scale, with the highest intensity of built form at the centre of the zone and lower scale built form adjoining a zone primarily intended to accommodate residential development.

DTS/DPF 3.1

Building height does not exceed:

- a. 2 building levels or 9 metres on sites adjoining a residential allotment within a different zone; or*
- b. 3 building levels or 12 metres in all other cases.*

In the above example, ‘medium-rise’ has been used because the DTS anticipates up to 3 storey development. Where the above policy is applied to a DTS development, the building would need to be a maximum of 3 storeys, however where applied to a performance assessed development it could be interpreted that development above 3 storeys - and in fact up to 6 storeys- could be appropriate. This is on the basis that (as outlined in the Rules of Interpretation):

“a DPF provides a guide to the relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not derogate from the discretion to determine that the outcome is met in another way.”

The Community Facilities, Suburban Activity Centre, and Suburban Main Street Zones refer to medium-rise development and the DTS/DPF refers to a TNV, however the TNV is missing from the online map. If not corrected, then 'medium-rise' is the only guidance for building height.

The Housing Renewal General Development Policies also anticipate medium-rise development:

Building Height

PO 2.1

Buildings contribute to a low-to-medium rise suburban character.

DTS/DPF 2.1

Building height (excluding garages, carports and outbuildings) does not exceed 3 building levels and 12m and wall height does not exceed 9m, except in the case of a gable end.

In many circumstances the Housing Renewal policies will be the only policies applied to eligible development (i.e. no zone policies are applied in the Classification Table). Not only could this result in 3 storey development in areas which are typically 1 or 2 storeys, but as stated above, it could be interpreted as allowing for up to 6 storeys.

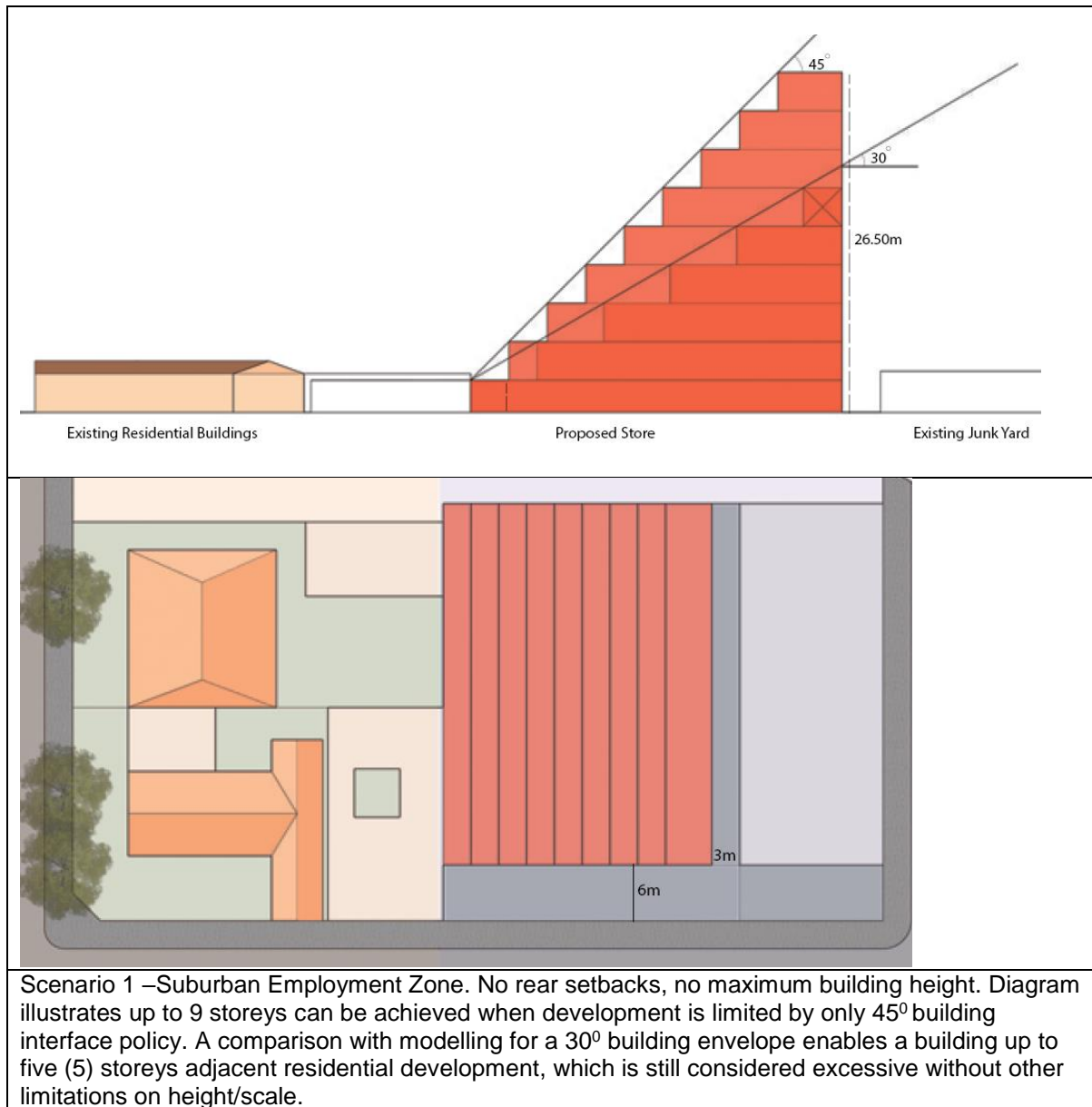
Recommendation: the defined terms referring to 'rise' should not be used in PO policies and should be defined in line with community expectations for neighbourhood scale and amenity. These terms should be limited to strategic documents such as regional plans.

Absence of building height policy

The Suburban Employment Zone policies do not provide any guidance for building height (other than where on a residential zone boundary where the 45° building envelope policy applies). In the absence of other guidance, it is possible that prospective developers could interpret that development can be as high as the 45° building envelope allows.

An example of a site within the proposed Suburban Employment Zone was modelled with development maximising the 45° interface and the result (allowing for nine (9) storey development) is illustrated below.

As part of this modelling a comparison was undertaken with a 30° building envelope (which applies currently in the Urban Corridor Zone and District Centre (Norwood) as the only location where the Development Plan references building envelope heights).



The Recreation Zone has no height limit policy other than for outbuildings. Although the nature of development within the Recreation Zone would be different to commercial zones and would vary depending on the location (e.g. local park or large stadium) there should be a stronger policy framework to determine an appropriate building height.

Recommendation: Appropriate building height policy be included in the Suburban Employment Zone and Recreation Zone.

Expansion of Building Envelope Policy

As discussed in further detail below, the building envelope policy in the City of Norwood Payneham & St Peters Development Plan is currently limited to a 30° interface and only within the Urban Corridor and District Centre Zones which typically contains the most intense types of development. The building envelope policy is considered a suitable interface policy in locations where a larger scale of development is anticipated.

The draft Code proposes to increase the interface angle to 45° (other than for southern elevations) and expand the application of the building envelope policy into several other zones including:

- Community Facilities
- Suburban Employment
- Suburban Activity Centre
- Suburban Business and Innovation
- Suburban Main Street

Where development should be of a smaller scale, such as in the Suburban Main Street Zone, or where land uses may have other external impacts such as noise or odour in the Suburban Employment Zone, the building envelope policy may not be appropriate. The building envelope policy allows for development on and close to the boundary which may be in conflict with the general development policies relating to noise and odour.

The increase to 45° exceeds the 30° envelope which was previously considered acceptable only in the larger scale Urban Corridor and District Centre Zones, but is now extended across most non-residential zones in lower development scale areas. The modelling demonstrated above for the Suburban Employment Zone illustrates the potential significant difference between these angles.

The increase to 45° from the current 30° building envelope has been selected and applied without any justification or reasons. The Department was requested to provide modelling of how this would impact on the multiple locations where this has now been applied under the Code, however this has not been produced.

Current Development Plan policy clarifies that where there is conflict between a building height which can be achieved under the building envelope policy and a specified maximum building height, the lower height will prevail (underline added):

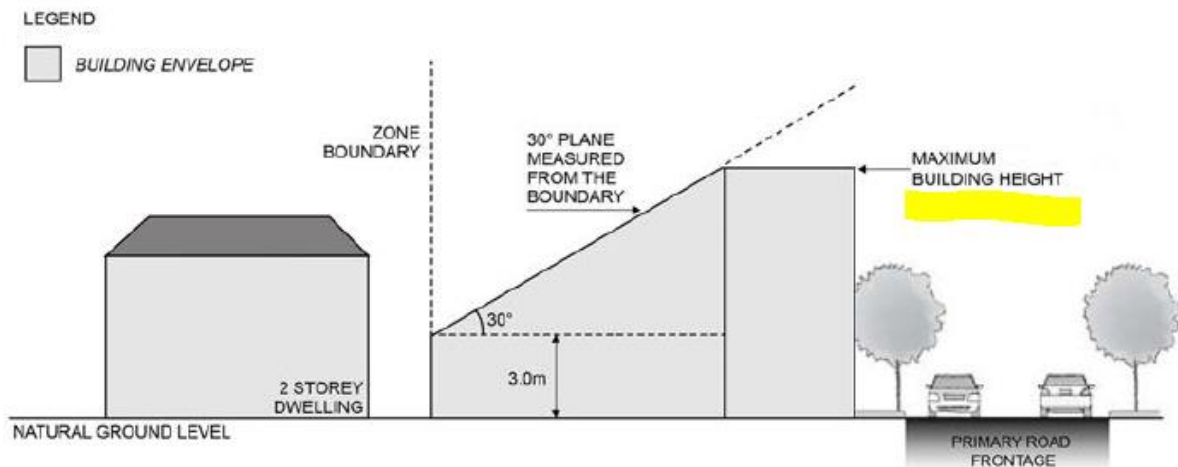
Urban Corridor Zone PDC 13

Except where airport building height restrictions prevail, or the interface height provisions require a lesser height, or where an alternative maximum building height is shown on Concept Plan Fig UrC/1 and UrC/2, building heights (excluding any rooftop mechanical plant or equipment) should be consistent with the following parameters:

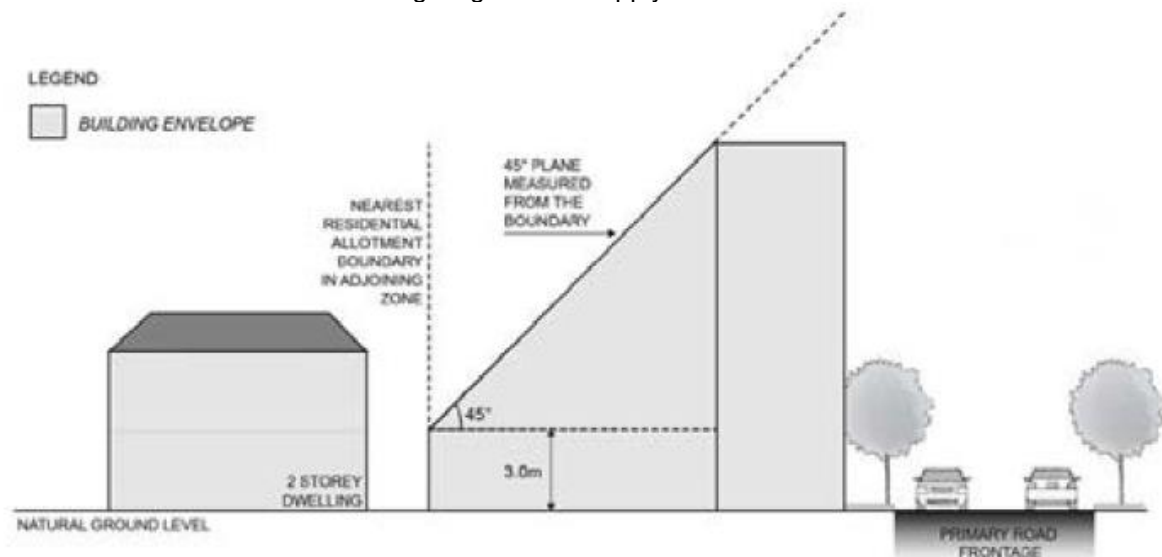
| Policy area | Minimum building height | Maximum building height |
|--------------------|---|---------------------------------|
| Boulevard | 3 storeys or no less than 11.5 metres, or 4 storeys or no less than 15 metres for land that is directly adjacent to or facing the Adelaide Park Lands | 10 storeys and up to 36 metres |
| High Street | 3 storeys or no less than 11.5 metres | 5 storeys and up to 18.5 metres |
| Business | 3 storeys or no less than 11.5 metres | 5 storeys and up to 18.5 metres |

Urban Corridor PDC 14

To minimise building massing at the interface with residential development outside of the zone, buildings should be constructed within a building envelope provided by a 30 degree plane, measured from a height of 3 metres above natural ground level at the zone boundary (except where this boundary is a primary road frontage), as illustrated in Figure 1:



The draft Code policies do not make the same distinction. In particular, the interface diagram no longer clarifies where the maximum building height should apply:



Where a draft Code zone does not specify appropriate setbacks, building siting or wall heights the building envelope policy may be an appropriate compromise to somewhat mitigate impacts on neighbouring properties. However, it is strongly preferred that the application of the building envelope policy is reconsidered in light of the type and scale of development anticipated within the zone.

Recommendation: the application of building envelope policy be reviewed, the interface angle reduced to 30°, and the building height and envelope policies clearly articulate that development must take the lower of the two height limits.

TNVs in Residential Zones

In this Council, the Housing Diversity Neighbourhood Zone building height TNV is consistently 2 storeys despite a range of building heights currently being applied in the Development Plan such as:

- Several Residential Historic (Conservation) Zone policy areas have a maximum 1 storey height limit (*noting that the Council does not support the HDN Zone being applied in current H(C)Zs*)
- tailored development policies and concept plan for the Adelaide Caravan Park in Hackney ranging from 1 to 4 storeys;
- specified 3 storey sites such as LHI retirement site in Glynde and former car park in Joslin;

- mixed use development on arterial roads in the Medium Density Policy Area permitted up to 3 storeys; and
- 3 storeys permitted in particular areas such as Marden Road and Wear Avenue south of Kent Street.

Recommendation: the TNV policy should be amended to align with Development Plan Policy, including tailored policies such as that provided for the Adelaide Caravan Park.

In the Suburban Neighbourhood Zone, several TNVs are missing but otherwise the building height TNV is 2 storeys. The Suburban Neighbourhood Zone is proposed in the existing Residential Historic (Conservation) Zone and Residential Character Zone and therefore the Historic and Character Area Overlay heights will prevail. In any case, both the zone and overlay height policies refer to a fixed building height of 1 or 2 storeys which is not reflective of policies such as:

- throughout most of the Residential Character Zone, development can be up to 2 storeys but should have a single storey streetscape appearance;
- dwellings fronting Hackney Road within the Residential Character Zone – Hackney Policy Area can be outwardly 2 storey; and
- in the Residential Historic (Conservation) Zone College Park Policy Area and The Avenues Policy Area, development can be up to 2 storeys but only where the predominant height in the locality is currently 2 storeys.

Recommendation: building height policy should be amended to reflect the nuanced policy outlined in the Development Plan

Update Report

The Update Report indicates that in the absence of maximum building heights, policies could refer to the prevailing height of surrounding development. This may not be an appropriate outcome for development in some zones and would largely be dependent on the nature of the proposed development and context of the locality.

Recommendation: building height policy should be carefully reviewed to ensure these do not exceed the current height policies, taking into account the combined policy effect of current Development Plan policy including:

- City –wide policy
- zone level restrictions on land use and floor area maximums
- non-complying thresholds

Policy Change in the Code – Urban Corridor Zone

In 2013, the Council prepared the *Kent Town and The Parade Strategic Growth DPA*. As part of preparing this DPA, the Council made considered decisions in relation to various policy constructs however, the draft Code is now proposing to reverse all of these policy decisions as discussed below.

Building Envelope Policy

The Council determined that the appropriate angle for the building envelope policy was 30°, contrary to the Commission's preferred approach (without justification) at the time of 45°, on the basis that 45° would result in an unreasonable level of impact on adjacent properties. Table 5 below indicates that 4 out of 6 Councils (including NPSP) with Urban Corridor Zone policy adopted the 30° angle.

TABLE 5: URBAN CORRIDOR CHANGES IN PLANNING & DESIGN CODE

| Council | Strategic Development Sites | Building Interface Envelope Angle |
|--------------|---|--|
| NPSP | No (rejected concept as part of (Stage 2) Inner and Middle Corridor Infill DPA) | UC Zone PDC 14 30⁰ interface height limit (45 ⁰ rejected as part of (Stage 1) Strategic Growth DPA) |
| Burnside | Only in Transit Living (Glenside) in Urban Corridor Zone. (Inserted by Minister) | 30⁰ interface height limit |
| Unley | No (rejected concept as part of (Stage 2) Inner and Middle Corridor Infill DPA) | 30⁰ (45 rejected as part of (Stage 1) Strategic Growth DPA) |
| West Torrens | No | 30⁰ |
| Prospect | No | 45⁰ interface height limit (to all boundaries) |
| Campbelltown | No | 30⁰ (southern boundary) & 45⁰ |

The draft Code building envelope policies include a 45⁰ angle (other than for southern boundaries where this has been retained at 30⁰) as well as expanding the policy to multiple other zones as explored above under *Building Heights*. The policy does not refer to the maximum building height specified in the TNV which could lead to confusion about the building envelope policy allowing a building to exceed the maximum TNV height. There has been no rationale and no justification provided for this change and is inconsistent with the policy of the majority of existing Urban Corridor Zones.

Recommendation: reinstate building envelope policy as per current NPSP Development Plan – 30⁰ angle and clarify that the building envelope does not allow for additional height beyond the maximum building height.

Significant Development Sites

Also outlined in **Table 3** above, 5 out of 6 Councils do not have significant development sites policy in their Urban Corridor Zones. The draft Code policy allows for significant development sites to achieve up to 30% above the maximum building height where it meets certain criteria – again without providing any rationale or justification why this is being pursued.

Establishing maximum building heights upfront in policy, provides a greater level of certainty to property owners and the community and provides an understanding of the desired streetscape and infrastructure capacity of the locality. Where particular sites are considered appropriate for accommodating a greater maximum building height due to their size or strategic location, this can be (and has been) achieved by identifying key development areas in a concept plan. There have been several State Government (DAC or SCAP) approvals for development exceeding the maximum Development Plan building height. Notable examples include the Hackney Hotel and the Peregrine Headquarters in Kensington. These decisions erode confidence in the planning system and create uncertainty about future development outcomes, the value of properties and in turn leads to speculation. While the proposed strategic sites policy outlines parameters for the increased height, it still creates uncertainty about where this may occur and cannot be easily understood by the community in the same way that a maximum building height can be understood.

It is the Council's expectation that development in the Urban Corridor Zone will be of a high quality in terms of design, living amenity and interaction with the public realm. This is currently established through design review processes and extensive Development Plan policy. Much of the criteria for achieving increased building height on significant sites should therefore be treated as an expectation, rather than a reason for

providing a bonus. In fact, many of these criteria are replicated in other applicable policies, for example the requirement in *Urban Corridor (Business) DPF 4.1* for 15% of dwellings being affordable housing is already reflected in the Affordable Housing Overlay which applies to Urban Corridor Zones. Other concerning criteria, which should be incorporated into any Urban Corridor development, include:

- high quality open space;
- high quality pedestrian linkages;
- active uses located on public street frontages;
- range of dwelling types; and
- passive heating and cooling design elements.

Recommendation: remove strategic development site policy and instead refer to key development areas. Should this not be implemented, at the very least the criteria for additional height must be refined.

Key Development Areas

Through the 2013 Strategic Growth DPA undertaken by the Council and approved by the Minister, the Council adopted key development areas which are identified in concept plans accompanied by clear policy direction and development parameters, however these have not transitioned to the Code, reflecting the loss of the local policy content and concept plans. The exception being that building height TNVs have transferred the various maximum building heights as per current Development Plan policy, but this is potentially problematic without the supporting policy outlining design parameters for sites with greater building heights.

Recommendation: reinstate key development areas with the existing concept plan and supporting policy.

Concept Plans

Concept plans are one of the most effective and concise policy tools currently used in Development Plans. The methodology for which existing concept plans were or were not transitioned is unclear, but in any case there was no collaboration with the Council to determine the value or relevancy of the concept plans.

The *Kent Town Strategic Growth Concept Plan Fig Urc/1* and the *District Centre Norwood Concept Plan Figs DCe/1-4* illustrate various strategic features including key development areas, maximum building heights, key road / laneway / bicycle / pedestrian access, residential interfaces and heritage places. It is unclear why these were not included, but they continue to provide clear strategic direction for the affected localities.

Recommendation: reinstate all Concept Plans including Urban Corridor and District Centre Norwood concept Plans

Desired Character Statements

Desired Character Statements provide an holistic understanding of the desired development outcomes for an area. The Urban Corridor Zone and District Centre (Norwood) Zone (transitioning to an Urban Corridor Zone) both contain extensive and detailed Desired Character Statements, outlining desired outcomes relating to site or area specific land use distribution, vehicle access, building design etc. The loss of these Desired Character Statements represents a substantial loss of detailed, considered, intentional and up-to-date local policy and is not supported.

Recommendation: include Area Statements for Urban Corridor Zones in the same way that these are provided for Historic Area Overlay and Character Area Overlay

Policy Change in the Code – Non-residential development and zones

Centres hierarchy not reflected in zones

In substantial reform to the previous centres hierarchy framework, under the Code, the current Local, Neighbourhood and District Centres all become conflated into a Suburban Activity Centre or Suburban Main Street Zone with policies not accurately reflecting the nuanced policies for an appropriate scale of development commensurate with the level of catchment it serves. This results in the policy allowing for much larger scale and function of these zones, in locations where previously only lower end catchments were served by local shops.

The new Code policies apply the same for the St Peters Bakehouse on Stephen Terrace as they do for the Marden, Firle and Avenues Shopping Centres. This new flexibility in the Suburban Activity Centre policies refer to both neighbourhood and district level catchments, which is distinctly different in policy intent to the current Development Plan.

Activity Centres, Commercial and Non-residential Structure

The current hierarchy of Local Centre, Local Shopping, Neighbourhood Centre and District Centres Zones, are all proposed to be encompassed within the Suburban Activity Centre Zone or Suburban Main Street Zone with substantially increased development potential and significant opportunity for a much broader range of land uses anticipated across a breadth of areas previously located within a logical hierarchy centre zones.

At the lowest end of the current retail centre hierarchy, the proposed variation in intensity and scope of activity in Local Centre under the Code, is significant. Another specific zone option should be developed and offered for replacement of the multitude of small Local Centre zone locations. While a Sub-zone and TNVs could be introduced as amendments to address some scale and functional distinctions, this will not address the fundamental difference in nature and catchments of these small groups of shops.

In addition, the Council seeks to achieve no change in policy intent by retaining the current range of Urban Corridor Zones in alignment with the existing Development Plan, removing the Code's liberal scope for expansive non-residential and retail land uses.

In addition, the Neighbourhood Zones provide for a wide range of supporting commercial land uses eg Shop, Office, Consulting Room etc, typically limited in scale of 100m² to 200m² but up to 1,000m² on-merit before being Restricted development (still on-merit but for SCAP determination).

The Council recommends that the Commission establish a clear limit and focus towards reinforcing a network of vibrant centres, with the scope of activity limited to complementary commercial (non-retail) activity and services on the other main road fringe locations. The approach of de-regulating the size and location of retail and commercial development into greatly relaxed policy settings in all locations, is not supported as it undermines the ability to concentrate and service development in strategic locations and appropriately plan for future infrastructure needs, creates land use conflicts and provides an ad-hoc approach to design outcomes. This approach is not sustainable and appears to be pursued in the interests of enabling construction jobs rather than long-term sustainable jobs growth.

Commercial and retail activity is not necessary or warranted and is contrary to inherent amenity in residential neighbourhoods.

Lack of unique focus in commercial zones

The City of Norwood Payneham & St Peters' commercial policies have been condensed into fewer Code Zones. Existing zones have a list of anticipated and non-complying land uses which differentiate these zones but this has been lost in the transition to the Code Zones. E.g. Local Commercial & Light Industry have different anticipated land uses but they've been consolidated into the Suburban Employment Zone which has a much broader land use mix than either of the NPSP Zones.

Bulky Goods and other retail development

Bulky goods has been introduced as an anticipated land use in Code zones where it is not currently anticipated in the corresponding NPSP Zone – (e.g. Suburban Employment). This could undermine the availability of land in inner metropolitan areas which is available for industry, warehousing, storage and the like (land uses which are likely to produce a lower return than retail). There are so many zones where retail is acceptable and there is no demonstrated justification to expand this further. At the very least, it is recommended that in some of these zones, Bulky Goods should be limited to arterial or other major road frontages.

In zones where bulky goods may currently be anticipated, there are instances where there is no floor limit on bulky goods. It is unreasonable to not provide a floor area limit in most of these zones.

In other zones, there is a significant policy gap between the anticipated floor area of a shop (e.g. 250m²) and the restricted floor area of a shop e.g. 1000m². How does a planner assess a shop which exceeds the anticipated floor area but is not yet restricted? Is a retail development only 'not acceptable' if it is restricted? There are issues which cannot be left unresolved.

The Council's policies normally refer to "Shops or groups of shops" as shops are often development in a group of tenancies. The Code policies do not qualify this point. Clarification is required so it is clear what the policies apply to.

Advertising and signage policy provisions for retail and commercial locations as well as in residential zones, requires further consideration and drafting of further policy detail through the General Development Policies and Classification Tables to ensure advertising is in appropriate locations and of an appropriate scale.

Policy Change – Environmental Policy in the Code

There are a number of positive aspects to the policies which have been drafted, particularly for residential land use under the Code's General Development Policies in the Design in Urban Areas module. The Code quantifies some of these requirements, where current Development Plan policies address such requirements, but do not always quantify the minimum standard. In this respect, the Code provides positive guidance to applicants such as the minimum number of trees required to be planted, however further improvements are required to ensure these environmental improvements are consistently applied, feasible to implement, and are able to be maintained for long term benefit.

Stormwater and Flooding Risk with reduced Code policy

Attachment I contains the Council's submission on Phase 2 of the Code, which should also be taken to form part of the Council's submission on Phase 3.

The Council has previously and consistently expressed its serious concerns about the Commission's approach to development in flood-prone areas. To this end, the draft Code does not meet the relevant State Planning Policy:

State Planning Policy 15

- 15.1 *Identify and minimise the risk to people, property and the environment from exposure to natural hazards including extreme heat events; bushfire; terrestrial and coastal flooding; soil erosion; drought; dune drift; acid sulfate soils; including taking into account the impacts of climate change.*

The City of Norwood Payneham & St Peters has identified the risk associated with flooding and uses the comprehensive set of policies in its Development Plan (for protection at differing levels of hazard risk, being the 1 in 20 and 1 in 100 year ARI flood events). The draft Code removes these assessment tools which currently minimises this risk to people, property and the environment. The draft Code does not retain the status quo for flood protection as stated in the *Guide to the Planning and Design Code*. In fact, the Code removes current controls and the ability to use accurate floodplain mapping. This approach exposes the Department, Commission and indeed the State Government to significant risks if developments are approved in flood prone areas, due to the absence of an appropriate flood risk mitigation policy framework.

It has since been indicated in the Code Update released in late December 2019, that the important issue of floodplain protection in Generation 1 of the Code will not be given further consideration until after consultation on the draft Code closes. It is understood that Councils will be engaged to discuss what policy and up to date floodplain maps should be included in the Code. This timing and approach denies the opportunity for Councils, the community and property owners to have any awareness of the Code policies for managing flood risk and is therefore a process lacking in information and transparency as to how this will impact on areas (contrary to Principle 3 of the Community Engagement Charter).

The draft Code only seeks to impose provision relating to stormwater and flooding to residential properties. This is a significant gap in the policy as it should apply to all relevant development, such as commercial and industrial.

Recommendation: Appropriate stormwater, Water Sensitive Urban Design (WSUD), landscaping, tree planting and flood protection provisions apply to all relevant development (across land use and building height/ form).

Private Open Space (POS)

The draft Code includes a number of changes to the provision of Private Open Space (POS) for dwellings which in turn will reduce the amenity and usefulness of open space for both the occupants and the environment. While the overall amount of POS is generally similar to current policy, major policy changes include the front yard being included in the POS calculation and a reduction in the minimum dimensions of POS to 1.8 metres in lieu of 4 metres currently contained in the Development Plan.

The draft Code supports POS being located in the front garden of dwellings when it is surrounded by a 1.8m high fence. This will have a considerable impact to the visual amenity of the streetscape (and is not a good urban design outcome) as it will encourage the erection of high fences which will hide dwellings, reduce casual and passive surveillance of the street and create a hard face along street verges.

This policy is likely to be taken advantage of as it provides for more flexible allocation of the bulk of open space which was previously required at rear or sides of dwellings. This provides for new opportunities for front gardens and is likely to result in an increase in front gardens enclosed with high fences, which is an undesirable streetscape outcome and does not provide street surveillance which is advocated by Crime Prevention Through Environmental Design (CPTED) practice. This will encourage larger dwellings that are built closer to the rear and side boundaries than previously supported in Council's Development Plan and create an increase to the impervious surfaces on site.

The policy for fenced front private open space is not supported and should be removed from the draft Code or at least modified such that the provision of POS in front of a dwelling should only be allowed where there are mitigating or unavoidable circumstances.

The minimum 1.8 metres dimension being proposed for POS is considered to be insufficient to allow any meaningful use. Such areas would be better utilised for clothes lines and bin storage. A 1.8m dimension would significantly restrict, if not prevent, reasonably expected furniture such as a table and chairs. A 1.8m dimension would also significantly impact the ability to grow vegetation as the ground would not receive much, if any, natural sunlight.

Again, the Commission needs to articulate what problem it is seeking to resolve and why this solution has been selected. If this approach is aimed at increasing dwelling yield and density, then it must be understood that it is being pursued with that objective and at the expense of urban form and amenity.

Recommendation: that the Code policies only envisage POS at the side and rear of dwellings and that the minimum dimension be increased to 4m, as currently required in the Council's Development Plan.

Tree planting

Another positive initiative being proposed in the Code is the planting of at least one new tree with every dwelling (except in association with multistorey apartment buildings). The size of the tree will be reflective of the size of the allotment.

This supports a number of environmental and liveability objectives in adding to the tree cover of the urban environment and helping to reduce the urban heat load. The addition of this policy helps applicants and developers to consider tree placement in the siting and design of a house, rather than it being an afterthought and having no remaining space for vegetation. For multistorey apartment buildings a different approach has been adopted with a single deep soil area being called for to accommodate for deep root vegetation such as large trees. The amount of deep soil area needed is also based on the developable area and ranges from 10m² up to 60m².

There has been significant opposition to this from the housing construction sector due to the argument that it adds significant cost to each new dwelling which, in turn, reduces its affordability and impacts on first home buyers entering the market.

The proposed intent of this Policy is supported, however the practicality of the effectiveness of this strategy is questioned. More strength should be added to necessitating the ongoing retention of a tree in order to ensure its long term existence and survival. At this stage it appears there is no intent to place guidance or monitoring around the retention of these new trees, beyond their initial planting. It is feared that without these controls, trees may not ever be planted or will not be maintained and will die as a result. There are similarities between this and the installation and plumbing of rainwater tanks, which whilst shown on plans, these are often not installed nor connected, therefore reducing the effect of the policy.

The draft Code also includes a requirement for one tree to be planted for every 10 car parks that are open to the sky. This applies to residential as well as commercial land uses, but will mainly apply to the latter. The single tree should have a minimum 4m canopy spread at maturity. While this is a welcome provision, it is not considered sufficient. A car park accommodating 10 vehicle spaces has a minimum vehicle manoeuvring area in the order of approximately 232m². A single tree means that, at maturity, it will only cover 5.4% of this hard paved area. It is acknowledged that trees and vehicle manoeuvring areas do not work together but a higher rate of trees adjacent to the cars parks can. It is considered that a rate of one tree per four car parks is more appropriate.

More emphasis on managing stormwater runoff, particularly in respect to car parks, needs to be included in the Code. Currently, the Council's planners are strongly encouraged to use Water Sensitive Urban Design (WSUD) principles when assessing applications. For some car parks, rain gardens are usually requested in order to capture and re-use stormwater runoff. This not only sustains vegetation located within the rain gardens, but it also helps clean the stormwater before entering Council's stormwater infrastructure.

Recommendation:

- the draft policy requiring planting of one (or more) tree/s per dwelling is retained;
- additional conditions be included to all new residential development to ensure the planting and ongoing care of these trees is undertaken and enforceable;
- additional conditions be included to protect these trees from future removal without replacement;
- a once-off fee be payable upon lodgement for inspections to be undertaken of trees by a council staff. This fee is to recognise the resources and time necessary to undertake an inspection, the administration of this and any necessary follow up action;
- A minimum of one tree per four carparks be included as the minimum for carparks open to the sky.

Changes to Regulated and Significant Tree Policy

The Code changes the policy that was introduced as Ministerial policy for the protection of Significant and Regulated trees. Again the reasons and justification for this change have not been put forward, and the Commission did not identify this change (reduced protection) in the Natural Resources and Environment Discussion Paper. The current Development Plan consistently provides for differentiated levels of policy protection between Regulated and Significant trees. Although references to a Significant Tree Overlay are made in the draft Code, Significant Tree Overlay policy has not been provided. This matter has eventually been confirmed as a policy change in the Code Update Report, which advises while the policies have been changed, the intent remains the same.

The extent of policy change creates greater flexibility in the circumstances which Significant trees can be removed or damaged.

In the new regime, tree damaging activity appears to be assessed for both Regulated and Significant trees against the same provisions of the Regulated Tree overlay. For Significant trees this results in a significant reduction in the circumstances for protection and increase in opportunities for tree damage or removal where it is an obstacle to development. The following characteristics currently found in the Development Plan for the retention of a significant tree are not found in the P&D Code:

- (c) represents an important habitat for native fauna*
- (d) is part of a wildlife corridor of a remnant area of native vegetation*
- (e) is important to the maintenance of biodiversity in the local environment*
- (f) forms a notable visual element to the landscape of the local area.*

If there is no discernible difference in the protection and assessment between Regulated and Significant trees, then it begs the question why these have been differentiated in the first place. Without understanding of the Commission's reasoning for the reduction of the protection for significant trees, the current provisions should be retained.

It is likely that applicants will not declare when their development involves tree damaging activity. The Portal may provide the definition of tree damaging activity, but this definition does not make it clear that this includes development within the structural root zone or other root damage. The draft Code also does not address the impact of advertising signs and other structures on tree damage, this should be revised and mechanisms in place to require an applicant to indicate this potential damage at the time of lodgement.

These types of activities can reduce the life span of trees and increase its risk of danger to the public, with the potential for the ultimate decline in tree health and consequent removal of the tree.

Recommendation:

- the hierarchy between Regulated and Significant trees is maintained, with Significant Trees provided with greater protection; and

- the Portal provides adequate clarification for applicants as to what might constitute tree damaging activity and that this could affect the assessment pathway of the development. .

Other Significant Code issues

Various Policy Issues

- Front building setback policies should refer to the building line (Defined in Part 8 of the Code) to identify where the setback should be measured from.
- Front and side setback policies have various wordings throughout various zones. These should be reviewed so consistent language and format is used.
- In mixed use zones, site coverage policies do not specify what land uses these policies apply to so they could be interpreted as applying to commercial or other non-residential development.
- There are no policies applied to garages which are integrated with dwellings (i.e. Table 3 – Performance Assessed listing for ‘Detached Dwelling’ has no policies relating to car parking, access, 5.5m setback etc). Table 3 will have a separate section for ‘Outbuilding – In the form of a garage’ but this is not the same considerations that should be applied to an integrated garage as occurs for most new dwelling applications. This policy gap needs resolution.
- Traffic, Access & Parking policy refers to requiring a 20m frontage to have a double width access, but the Design in Urban Areas Access policies refer to a double width access on a 12m frontage. Road testing shows in some instances both policies apply. If the 20m frontage is intended to apply to non-residential development this should be made clearer.

Sloping Land Overlay

Application of Overlay

The Sloping Land Overlay in NPSP has only been applied in the draft Code along the banks of the River Torrens and the St Peters Billabong (where no private development would occur), and a very small patch of land at the rear of the Marden Shopping Centre carpark. The trigger for applying the sloping land overlay is not clear, but the limited application of the Overlay results in no consideration being able to be given to sloping land issues throughout the overwhelming majority of the Council. The inability to apply this current policy will result in overly high and overly dominant buildings, fences and structures, instead of these being assessed to step levels down or up with the topography of the land. This will impact on streetscapes and the amenity of neighbouring properties that may have excessively large structures built close or near site boundaries. The NPSP Development Plan contains City Wide policies relating to sloping land that are applied as necessary when the topography of the land needs to be addressed (See City Wide PDC 53, 54, 55). It is recommended that the application of the Overlay be reviewed and/or General Development policies addressing the intricacies of sloping land are included in the Code.

Driveway Gradients

A comparison of a Sloping Land Overlay policy with Development Plan policy and Australian Standards is outlined below.

| | |
|--|--|
| <p>Sloping Land Overlay Driveways and Access Tracks PO 3.1 Driveways and access tracks are of a suitable gradient to allow safe and convenient access.</p> <p>DTS/DPF 3.1 Driveways and access tracks do not have a gradient exceeding 25% (1-in-4) at any point along the driveway.</p> | <p>NPSP City Wide PDC 118 118 Driveways should:</p> <p>(a) not exceed a gradient of 1 in 5 at any point and have a near level gradient (of 1 in 20) at either end for a length of at least 5 metres and connect to any existing paved footpath surface at a level that does not require any modification to the level of any public infrastructure;</p> <p>(b) be designed, located and constructed in a manner which enables safe and convenient</p> |
|--|--|

| | |
|--|--|
| | <p>access, with surfaces providing adequate traction for the wheels of vehicles; and</p> <p>(c) be designed and located so that they are not constructed closer than 1.5 metres to any street tree.</p> <p>Australian Standard 2890.1:2004 2.6 DESIGN OF DOMESTIC DRIVEWAYS 2.6.2 Gradients The maximum gradient of domestic driveways shall be 1 in 4 (25%). <u>The maximum gradient of the associated access driveway across a property line or building alignment shall be 1 in 20 (5%) and across a footpath</u> as specified in Clause 3.3(d)...</p> <p>NOTE: It is recognised that limiting domestic driveway grades to 25% maximum may not be practicable in some particularly hilly residential locations. The services of a professionally qualified person with appropriate experience may be required to make a judgement as to whether a particular grade line design is safe and environmentally sustainable</p> |
|--|--|

The slope of the driveway allowed in the Code is steeper than that allowed in current Development Plan policy. Additionally, both the Development Plan and Australian Standards require a transitional slope at the entry point (the Development Plan also requires a transitional slope at the end of the driveway). It is recommended the Overlay policy be reviewed. In other parts of the Code, Accepted carports are allowed to have driveways *not steeper than 1:4 on average* which would allow for some parts of the driveway to be steeper than 1:4, contrary to the Australian Standard. This is not considered practical or appropriate, and also doesn't allow for the lower gradient at the property line.

Cut and Fill

A comparison of two Code policies is outlined below:

| | |
|---|--|
| <p>Sloping Land Overlay Earthworks PO 4.1 Earthworks located outside townships and urban areas is limited and only undertaken to reduce the visual impact of buildings and structures and where it preserves the natural form of the land and native vegetation. DTS/DPF 4.1 Development does not involve either: (a) excavation exceeding a vertical height of <u>0.75m</u>; or (b) filling exceeding a vertical height of <u>0.75m</u>; and, if the development involves both excavation and filling, the total combined excavation and filling does not exceed a vertical height of <u>1.5m</u>.</p> | <p>Design in Urban Areas – All Development PO 7.1 Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography. DTS / DPF 7.1 Development does not involve either: (a) excavation exceeding a vertical height of <u>1m</u>; (b) filling exceeding a vertical height of <u>1m</u>; or (c) a total combined excavation and filling vertical height of <u>2m</u> or more.</p> |
|---|--|

It seems unusual that the Sloping Land Overlay (applied in areas with steeper topography where greater discrepancy of levels could reasonably be expected) allows for less cut and fill than in an area with flatter topography. This should be reviewed.

Code Policy is complex and unlikely to streamline development assessment

Functionality of ePlanning

Due to the ePlanning system not being ready or available for consultation of Phase 3, this has seriously compromised the ability of Council, and to a greater degree property owners and the general community, to access and understand changes to the Code.

Furthermore, the Council raises the issue of timing delays which occur after land division approvals, which currently create gaps in the zoning attributes for affected parcels of land. Without visibility of the new planning system and no ability to road test the functionality of the electronic spatial Code, it has not been possible to determine whether this will be a risk in the new system. Current practice, with hard copy Development Plans provides a “work around” for these allotments where no zoning information is available, however it is unclear how this will be managed in the future.

DPF vs DTS

There are a number of examples where the Code is missing the “DPF” (Designated Performance Feature), even where the zone or overlay does not have Deemed to Satisfy (DTS) development.

The DTS/DPF system can be confusing. There should be smaller thresholds for a DTS development (i.e. the requirements should be conservative to be safe in any possible DTS situation) but then this also serves as the guidance for performance assessed development. If the DTS floor area of a shop is 250m² and the shop is 400m², should the planner refuse the development? Currently non-complying land use triggers typically correlate with the maximum floor area for that use anticipated in the zone policies. In most zones, the restricted threshold is much higher than the DTS/DPF figure – (e.g. the shop DPF says max 250m² but the restricted trigger is 1000m²). This gap in policy detail needs to be addressed.

Envisaged land uses & Table 3 – Performance Assessed Classification Table

Land uses which are listed as envisaged in a zone should appear in the Table 3 – Performance Assessed classification table. Often a land use is listed as anticipated, but a planner undertaking the assessment would need to refer to the ‘All other Code assessed development’ and apply *all* relevant Code policies. This is an unnecessary and inefficient task and is not appropriate to undertake for a land use which is anticipated in the zone.

Consents in any order

Section 102(6) in the PDI Act states that consents can be issued in any order. It is understood that this clause was intended to resolve the issue of whether a Development Plan Consent for more than one dwelling on a site can be granted before a Land Division consent has been granted. If the dwellings are in a separate application to the Land Division they are not part of the same *proposed development* and therefore this clause does not apply.

Recommendation: this clause, or an additional clause or regulation, should clearly articulate that dwellings can be approved before a related Land Division has been approved, perhaps with the requirement that the dwelling application clearly outlines the intended future allotment boundaries and tenure.

REQUIRED CHANGES TO MAPPING

Concept Plans

The NPSP Development Plan currently contains 9 Concept Plans, none of which have been included in the draft Code. No justification or prior discussion has been offered to the Council regarding the removal of these important spatial policy tools. Concept Plans serve an important role in guiding development in a particular locality or site, more concisely and clearly than can be portrayed in policy as they can indicate setbacks, building heights, access points and paths, subdivision controls etc. It is unclear what parameters were in place to determine which Concept Plans should be transferred to the Code, but all of the Concept Plans from the NPSP Development Plan are considered still relevant and should be included:

The laneways map is particularly important to retain due to its relationship with a number of critical policies for the City, as set out in this submission. The policy and the relevant mapping is therefore required to be re-instated in the Code. The policy can be inserted through a sub-zone for application to geographic areas, or in overlay policies.

The removal of the Concept Plan FigRC(N)/1 entirely changes the policy intent of the Residential Character (Norwood) Zone. The Plan is required to be included in the Code, along with the accompanying policy as described in this submission.

Recommendation: reinstate all concept plans in the Development Plan.

Zone boundaries

A series of site-specific minor mapping anomalies which have been reflected in 'split zones' have previously been provided to the Council's Transition Manager. From a practical perspective, it is not understood how the automated Code deals with 'split zones' for the Portal's generation of assessment pathways, planning authority, notification etc. For these reasons and clarity of interpretation, these zoning anomalies should be rectified in the final version of the Code.

The affected sites are bisected by a zone boundary. The majority of the site is typically in the most appropriate zone with a small portion (often a car park or portion of land which was subsequently acquired) within the adjacent zone. Although these zone boundaries appear to all exist in the current Development Plan, there is concern that the new Planning System will make it more difficult to process an application where the site falls into more than one zone.

Recommendation: the required minor zone boundary adjustments are made in the transition to the Code accompanied by direct notification with affected property owners.

TNV Errors

Multiple errors with TNVs have been noted, including missing TNVs or incorrect numbers when compared to Development Plan policy. TNV errors have been identified in Attachment A and have also previously been provided to DPTI staff. Council seeks the opportunity to review these corrected errors to determine that this had been adequately revised and is a reflection of current development parameters.

LAND USE AND ADMINISTRATIVE DEFINITIONS

The Code is a complex document where the use of land use and administrative terms carry significant weight in terms of processing and assessment. There are a number of terms which are not defined and should be included in the definition tables. In 2018, the Technical Discussion Paper on future land use definitions outlined an intent to significantly review and revise various definitions, particularly those which have caused confusion and processing issues in the past. The Council provided a comprehensive submission on this Paper which is contained in Attachment J. While there have been some minor changes made to definitions between the Development Regulations and the Code, there are a number of definitions which still require review and recommendations in the Council's 2018 submission which remain relevant.

SUMMARY AND RECOMMENDATIONS

The Council has endeavoured to undertake as thorough review as possible of the draft Code and associated documentation in the timeframe available. The absence of prior collaboration with Local Government prior to the release of the Code on its content, application and ensuring appropriate transition of important local characteristics and policy, has significantly challenged the task of providing comprehensive feedback on the Code.

Furthermore the acknowledged errors, omissions and gaps in the Code, as set out in Commission's publications following the release of the Code, has compounded practitioner, Council, community, industry and stakeholder understanding of the Code.

The original stated intention of providing Phase 3 Planning and Design Code in an integrated ePlanning software was not able to be delivered, causing significant challenges for all stakeholders in comparing the draft Code to current Development Plans and understanding the full scope of the new zoning and policies.

Without final details of policy and mapping aspects of the Code and without functionality in an electronic format, there is a risk that other omissions, unintended consequences and transition errors, may not have been detected in this consultation process.

The Council recommends that the Code not be applied to the City of Norwood Payneham & St Peters until:

1. There has been a full and comprehensive analysis of the widespread impacts of the proposed changes, advice of the impacts to affected stakeholders and confirmation of suitable policy tools (eg. policy revision, sub-zones, TNVs, concept plans) to overcome the significant changes to current policies as documented in this submission.
2. The State Planning Commission has fully collaborated with the Council to address the errors, omissions and inconsistencies identified during the current consultation process.
3. The "Informed and Transparent" principle of the *Community Engagement Charter* is demonstrated by providing visibility of the missing information from the Code which to date has not been made publicly available.
4. The State Planning Commission has undertaken a further round of public consultation on the draft *Planning and Design Code* incorporating post-consultation changes, through an Engagement Program which is designed to provide all affected stakeholders (including property owners) with full details of how the Code will affect specific locations.
5. The Council has been provided with the opportunity to properly test the effect of the proposed Code in the ePlanning system (as originally proposed for in the announced transition process).

-
6. Commence genuine collaboration with Local Government to amend the *Planning and Design Code* to incorporate design outcomes that are tailored to address local character needs (as stated in the *Blueprint for South Australia's Planning and Design Code*).
 7. Comprehensive Historic Area Overlay policy is developed and all existing Contributory Items are transitioned into the first generation of the *Planning and Design Code* as recommended by the Environment Resources and Development Committee of Parliament in the *Heritage Inquiry*.
 8. Comprehensive flood management policies are included in the Code, along with accurate flood mapping overlays, to ensure that all properties within an identified flood risk area are developed safely, without increasing risks to people and properties.
 9. Local Government has been provided with adequate time to prepare for the full impact of the changes, including the considerable integration which will be required in order to maintain required business operations and service to the community.

ATTACHMENTS

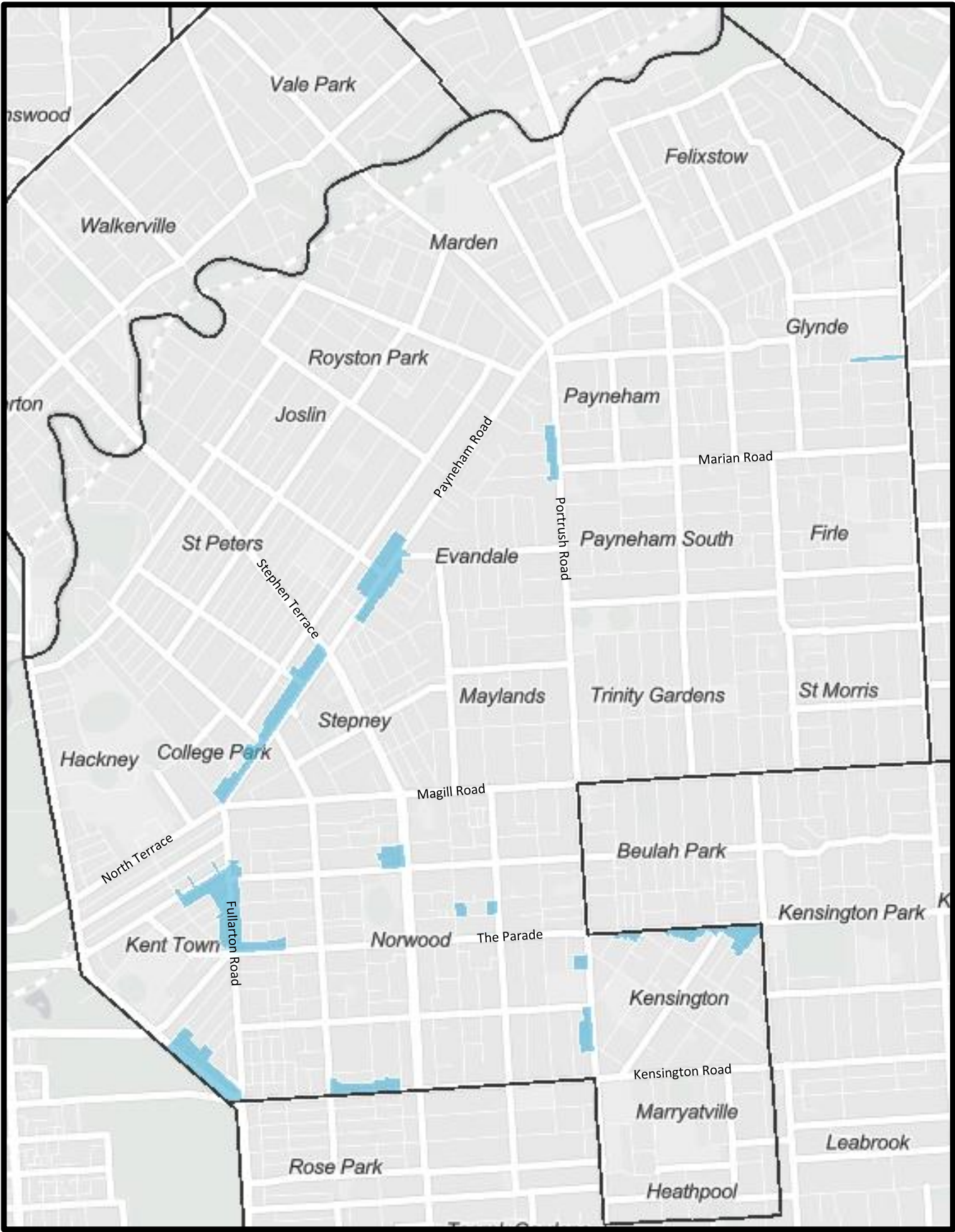
- A. DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
- B. POLICY LOSS AT CITY – WIDE LEVEL – RESIDENTIAL DEVELOPMENT POLICIES
- C. RECOMMENDED POLICIES – STATE AND LOCAL HERITAGE PLACE OVERLAYS
- D. RECOMMENDED POLICIES - HISTORIC AREA OVERLAY
- E. RECOMMENDED POLICY FRAMEWORK FOR TRANSITIONING CONTRIBUTORY ITEMS – NORMAN WATERHOUSE LEGAL OPINION
- F. HISTORIC AREA STATEMENTS – REDRAFT EXAMPLE (REINSTATING DEVELOPMENT PLAN POLICY)
- G. RECOMMENDED POLICIES – CHARACTER AREA OVERLAY
- H. CHARACTER AREA STATEMENTS– REDRAFT EXAMPLE (REINSTATING DEVELOPMENT PLAN POLICY)
- I. PHASE 2 SUBMISSION – FLOOD RISK MITIGATION – MAPPING AND POLICY
- J. LAND USE DEFINITIONS – APRIL 2018 SUBMISSION

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Business Neighbourhood

ATTACHMENT A

| Business Neighbourhood - Description in the <i>Guide to the P&D Code</i> |
|--|
| <p>This zone envisages a mixed use environment of a lower scale and more residential-focused than the Suburban Business and Innovation Zone. Only low impact, non-residential uses are envisaged in the form of small-scale shops, offices and consulting rooms.</p> |
| Business Neighbourhood - Desired Outcome |
| <p>A low rise medium density environment accommodating a variety of housing and accommodation types co-existing with a mix of low impact employment-generating land uses.</p> |
| Business Neighbourhood - Anticipated Land Uses |
| <p>PO 1.1 Shops, office, consulting room and other low impact non-residential uses supported by a variety of compact, medium density housing and accommodation types.</p> <p>DTS/DPF 1.1 Development comprises one or more of the following land uses: • Dwelling • Community facility • Consulting room • Office • Shop</p> <p>PO 1.2 Small scale business and commercial land uses complement the prevailing neighbourhood character.</p> <p>DTS/DPF 1.2 The gross leasable floor area of a shop, office or consulting room does not exceed 250m².</p> |
| Restricted Development |
| <p>General Industry Motor Repair Station Shop (other than Restaurant or any other shop with a gross leasable floor area less than 500m²)</p> |
| Replacing NPSP Zones: |
| <p><u>Local Office</u> <u>Mixed Use B</u> <i>Policy Areas:</i> Dequetteville Tce South, George Street/Edward Street, Kensington, Kensington Road, Osmond Tce, Portrush Rd</p> <p><u>Mixed Use Historic (Conservation) Zone</u> <i>Policy Areas:</i> Dequetteville Terrace, Kensington, Payneham Road, Portrush Road, The Parade/Fullarton Road</p> |
| NPSP Zone Objectives |
| <p><u>Local Office</u> Objective 1: A zone primarily accommodating commercial and professional offices serving nearby residents. In the St Peters Area depicted on Map NPSP/1 (Overlay 1) development being limited to two-storeys.</p> |
| <p><u>Mixed Use B</u> Objective 1: Development providing small-scale offices and consulting rooms together with residential use.</p> <p>Objective 2: Development which maintains and reinforces the existing character of the relevant area while providing various forms of dwellings where opportunities exist.</p> |
| <p><u>Mixed Use Historic (Conservation) Zone</u> Objective 1: Development which conserves and enhances the heritage value and existing historic and residential character of Dequetteville Terrace, Rundle Street, Fullarton Road, Payneham Road, Portrush Road and The Parade frontages of the zone.</p> <p>Objective 2: The retention and conservation of land, buildings, structures and landscaping elements within the Mixed Use Historic (Conservation) Zone that contribute positively to its heritage value and historic character.</p> <p>Objective 3: Development primarily accommodating offices, consulting rooms, residential apartments and townhouses (except in the Portrush Road Policy Area) and also providing tourist accommodation in Dequetteville Terrace Policy Area.</p> |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Business Neighbourhood

ATTACHMENT A

| Changes and Recommendations - Business Neighbourhood - Some key issues (not an exhaustive list) | |
|---|---|
| Objectives / Desired Outcome | <ul style="list-style-type: none"> - Business Neighbourhood has a greater focus on residential land uses than NPSP Zones, particularly compared to the Local Office Zone - NPSP Objectives are more comprehensive and locally specific |
| Anticipated Land Uses | <ul style="list-style-type: none"> - Shops are not anticipated in any of the NPSP Zones, and are non-complying in some circumstances, but are anticipated in the Business Neighbourhood Zone - Residential development is not anticipated in the Local Office Zone but is in the Business Neighbourhood Zone - Community facility is not anticipated in any of the NPSP Zones ('Community Centre' is a non-complying land use in the Local Office Zone) but is anticipated in the Business Neighbourhood Zone |
| Non-Complying / Restricted | <p>List of non-complying land uses in NPSP Zones is much more comprehensive compared to restricted land uses in Business Neighbourhood</p> <p>Shops</p> <ul style="list-style-type: none"> - In NPSP Zones were non-complying when 250m² or greater, and non-complying with any floor area in some policy areas - In Business Zone are restricted when 500m² or greater <p>Residential</p> <ul style="list-style-type: none"> - Various dwelling types are non-complying in the Local Office Zone; residential development is an anticipated land use in Business Neighbourhood Zone <p>Advertisements</p> <ul style="list-style-type: none"> - Various forms of advertisements are non-complying in NPSP Zones but are not restricted <p>Petrol Filling Station</p> <ul style="list-style-type: none"> - Non-complying in all 3 NPSP Zones but this land use (now 'Retail Fuel Outlet') is not restricted |
| Comments | <p>The Business Neighbourhood Zone seems particularly ill suited to replace the Local Office Zone, particularly in the scale and range of anticipated land uses.</p> <p>There is a need for a Code zone which caters for offices, consulting rooms and similar professional activities at a local scale. Given the increased focus on mixed use zones in the Code, there are numerous opportunities for residential and retail development in other zones, so it is reasonable to incorporate a zone for exclusively office/consulting room or similar purposes. This zone would appear to be an appropriate fit across other inner-metropolitan Councils.</p> |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <p>Local Office is not transitioned to Business Neighbourhood and is instead transitioned to a newly created small scale professional/business zone.</p> <p>Alternatively, at the very least, there is a need for a subzone within the Business Neighbourhood Zone which caters for areas of more homogenous land uses</p> | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Business Neighbourhood

ATTACHMENT A

| Zone Policy | Comment | Recommendation |
|--|--|---|
| <p>DO 1</p> <p><i>A low rise medium density environment accommodating a variety of housing and accommodation types co-existing with a mix of low impact employment-generating land uses.</i></p> | <p>- Refers to 'low rise' = 2 storey, but DPF 3.1 anticipates up to 3 storeys</p> <p>- A multitude of land uses are 'employment generating' so this is not considered to be a useful term</p> <p>- The emphasis of DO1 reads as though residential is the priority in the zone, but this is reversed in PO 1.1</p> | <p>- The <i>Phase 3 Update Report</i> indicates that building heights will be altered for the Business Neighbourhood Zone</p> <p>- Use an alternative term to, or provide additional context for 'employment generating land uses'</p> <p>- re-phrase DO 1 to clarify that the primary purpose of the zone is business/commercial in conjunction with residential uses</p> |
| <p>PO 2.3</p> <p><i>Site coverage is limited to provide space for landscaping, open space and pervious areas.</i></p> <p>DTS/DPF 2.3</p> <p><i>Site coverage does not exceed 60% of site area.</i></p> | <p>This is applied to a range of land uses in the performance assessed classification – both residential and commercial.</p> <p>Site coverage is often not applied to non-residential development. Instead, car parking, landscaping and stormwater management requirements determine how much of the site should be covered</p> | <p>Limit this policy to residential development</p> |
| <p>PO 3.1</p> <p><i>Buildings are of low-to-medium rise scale, with the highest intensity of built form at the centre of the zone and lower scale built form adjoining a zone primarily intended to accommodate residential development.</i></p> <p>DTS/DPF 3.1</p> <p><i>Building height does not exceed:</i></p> <p><i>a. 2 building levels or 9 metres on sites adjoining a residential allotment within a different zone; or</i></p> <p><i>b. 3 building levels or 12 metres in all other cases.</i></p> | <p>Inconsistent with NPSP Dev Plan Policy:</p> <p><u>Local Office Zone PDC 1</u></p> <p><i>Development should be, primarily, commercial and professional offices serving nearby residents. In the St Peters Area shown on Map NPSP/1 (Overlay 1) development should be limited to two-storeys.</i></p> <p><u>Mixed Use B Zone PDC 8</u></p> <p><i>Development in the Mixed Use B Zone should not exceed two storeys in height above mean natural ground level, except for residential development with frontage(s) to arterial roads, which should not exceed three storeys in height above mean natural ground level.</i></p> <p><u>Mixed Use Historic (Conservation) Zone:</u></p> <p><i>Dequetteville Tce Policy Area PDC 4: Development... should not exceed three storeys</i></p> <p><i>Kensington PA – PDC 2: Development... should not exceed two storeys</i></p> <p><i>Payneham Road PDC 5: Development... should not exceed two storeys</i></p> <p><i>Portrush Road PDC 2: Development... should not exceed one storey</i></p> <p><i>The Parade/Fullarton Rd PDC2: Development... should not exceed two storeys (other than Ministerial Sites in Concept Plan)</i></p> | <p>- The <i>Phase 3 Update Report</i> indicates that building heights will be altered for the Business Neighbourhood Zone</p> <p>Building heights should be consistent with NPSP policy - Noted that Historic Area Statements also have the capacity to determine building height.</p> <p>MUH(C)Z – The Parade Fullarton Road Policy Area contains Concept Plan FigMUH(C)/1 which identifies Key Development Areas which were the result of the Ministerial Sites DPA in 2017. This Concept plan has been deleted – how will the site specific policy apply to these sites or is the intent to lose this policy?</p> |
| <p>PO 3.2</p> <p><i>Buildings set back from primary street boundaries to contribute to a consistent streetscape.</i></p> <p>DTS/DPF 3.2</p> <p><i>Buildings set back from the primary street frontage the lesser of the following:</i></p> <p><i>(a) the average of any existing buildings on either of the adjoining sites having frontage to the same street; or</i></p> <p><i>(b) not less than 5m where no building exists on an adjoining site.</i></p> | <p>DPF 3.2</p> <p>Part (a) asks for the “average of any existing buildings on either of the adjoining sites having frontage to the same street”</p> <p>1) The setback should be taken from the building line, not any ancillary structures</p> <p>2) An average needs to be taken from both adjoining sites, it's not an average if it's from only one or the other.</p> <p>Part (b) should apply when there are no buildings on <i>any</i> adjoining site. If one of the adjoining sites has a building, the proposed building setback should match that one</p> | <p>DTS/DPF 3.2</p> <p>Buildings set back from the primary street frontage the lesser of the following:</p> <p>(a) the average of the building lines of any existing buildings on either of the adjoining sites having which have frontage to the same street; or</p> <p>(b) not less than 5m where no buildings exists on an either adjoining sites.</p> |
| <p>PO 3.4</p> <p><i>Boundary walls are limited in height and length to manage impacts on adjoining properties.</i></p> <p>DTS/DPF 3.4</p> <p><i>Except where the development is a dwelling located on a central site within a row dwelling development, buildings with side boundary walls are sited on only one side boundary and either:</i></p> <p><i>a. adjoin or abut a boundary wall of a building on adjoining land for the same length and height; or</i></p> <p><i>b. do not exceed the following:</i></p> <p><i>i. 3m in height from the top of the footings;</i></p> <p><i>ii. 10m in length;</i></p> | <p>10 metres is considered too long for a DTS boundary wall which is not adjacent to an abutting boundary structure. It may be acceptable in certain circumstances but a DTS assessment pathway would not allow any assessment to be undertaken</p> <p>Part (c) refers to the wall being set back from any other existing or proposed boundary walls. Does this refer to a 3m separation between walls or a 3m set back from the property boundary?</p> | <p>Reduce the boundary wall length to 8m consistent with current policies and Regulations</p> <p>Clarify where the 3m setback applies</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Business Neighbourhood

| Zone Policy | Comment | Recommendation |
|--|---|--|
| <i>iii. when combined with other walls on the boundary of the subject development site, maximum 45% of the length of the boundary; and c. are set-back at least 3 metres from any other existing or proposed boundary walls on the subject land.</i> | | |
| <i>PO 3.6 Buildings are set back from side boundaries to provide: (a) separation between dwellings in a way that complements the established character of the locality; and (b) access to natural light and ventilation for neighbours. DTS/DPF 3.6 Other than walls located on a side boundary, buildings are set back at least 0.9 metres from side boundaries.</i> | Given this is a zone which anticipates both businesses and residential uses, 0.9m setback may not be sufficient for a commercial building (which typically has longer, higher, and less articulated walls compared to a dwelling) adjacent to a residential property. | Revise the policy to reflect a greater setback for walls which exceed 3m high and/or have an uninterrupted wall of perhaps 15m where the affected neighbour is a residential property. |
| <i>PO 3.7 Buildings are set back from rear boundaries to provide: (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) open space recreational opportunities; and (d) space for landscaping and vegetation. DTS/DPF 3.7 1 Buildings are set back from the rear boundary at least: (a) 3m for the first building level; and (b) 5m for any second building level.</i> | As above, PO 3.7 applies in the classification tables to non-residential land uses but the rear setbacks provided may not be sufficient depending on the nature of the building The 3m rear setback at ground level is unlikely to facilitate a tree planting with mature spread of 2-4m as per Design in Urban Areas – Residential Dev 3 building levels or less DPF 21.2 | Increase rear setbacks to 4m for lower walls up to 3m high and 6m for upper level walls, plus additional height for the third level |
| Other Comments | | |
| There is no performance assessed table for an undefined dwelling. Given there could be many mixed use developments in this zone (i.e. arguably not a RFB) there should be an assessment table for 'dwelling' Classification table is repeated in the Business Neighbourhood Zone | | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Community Facilities

| Community Facilities - Description in the <i>Guide to the P&D Code</i> |
|---|
| This zone provides for a range of community and institutional type developments. These include social, health, welfare, educational and recreation facilities that provide a service to the local community and larger scale community facilities that provide a service to the wider community and beyond, such as schools and hospitals |
| Community Facilities - Desired Outcome |
| Provision of a range of public and private community, educational, recreational and health care facilities. |
| Community Facilities - Anticipated Land Uses |
| PO 1.1 Development is associated with or ancillary to the provision of community, educational, recreational and / or health care services. DTS/DPF 1.1 Development comprises one or more of the following land uses: • Consulting room • Educational establishment • Indoor recreation facility • Office • Place of worship • Pre-school • Recreation area • Shop |
| PO 1.2 Integration and coordination of adjoining land uses to enhance accessibility and efficiency in service delivery. DTS/DPF 1.2 None are applicable. |
| PO 1.3 Development avoids inhibiting or prejudicing future delivery of community, educational, recreational or health care services. DTS/DPF 1.3 None are applicable. |
| Restricted Development |
| None |
| Replacing NPSP Zones: |
| Community <i>Policy Areas: Education, Recreation</i> |
| Community Zone Objectives |
| Objective 1: A zone accommodating community, educational, recreational and health care facilities for the general public's benefit. |
| Objective 2: Development that is integrated in function and provides a coordinated base to promote efficient service delivery. |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Community Facilities

ATTACHMENT A

| Changes and Recommendations - Community Facilities Zone - Some key issues (not an exhaustive list) | |
|--|--|
| Objectives / Desired Outcome | - Generally similar |
| Anticipated Land Uses | <p>Shops, offices, consulting rooms</p> <ul style="list-style-type: none"> - In NPSP Community Zone, shop office and consulting rooms can only occur where they're in association with a community / recreation/ education use. - In Community Facilities Zone these uses are an anticipated land use without any specified limit - There should be some parameters around commercial enterprises such as shop, office and consulting rooms where these are standalone, private businesses to avoid jeopardising land otherwise available for community use (particularly where these are of a larger scale) <p>Community Centre/Facility</p> <ul style="list-style-type: none"> - A Community Centre/Facility and similar uses (e.g. civic centre and library) should be included as an anticipated land use in the Community Facilities Zone |
| Non-Complying / Restricted | <p>NPSP Community Zone incorporates a broad range of undesirable land uses as non-complying such as industry, petrol filling station, warehouse etc and includes non-complying triggers for office and shops.</p> <p>The total lack of restricted land uses in the Community Facilities Zone is not supported and could undermine the availability of land suitable for community, education and similar land uses (particularly as these land uses typically can't compete commercially with larger scale private businesses).</p> |
| Comments | <p>NPSP Community Zone has two policy areas: Education and Recreation (not the remainder of the zone doesn't fall into a policy area). The policy areas were designed to tailor policy to the relevant areas:</p> <p>e.g. Recreation Policy Area is more restrictive in terms of land uses as it mainly consists of reserves and playing fields</p> <p>Education Policy area has policies tailored for schools.</p> <p>This policy content and differentiation is lost under the proposed Community Facilities Zone.</p> |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <p>Amend Community Facilities Zone to include:</p> <ul style="list-style-type: none"> - subzones tailored to different areas such as education, recreation, civic centres etc - Community Centre/ Facility as a desired land use - Restricted land uses which are not compatible with, and could jeopardise community land uses | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Community Facilities

| Zone Policy | Comment | Recommendation |
|--|---|--|
| <p>PO 2.1 <i>A range of low to medium rise buildings, with the highest intensity of built form at the centre of the zone and lower scale at the peripheral zone interface.</i> DTS/DPF 2.1 <i>Building height does not exceed a maximum height specified in the Building Height Technical and Numeric Variations Overlay</i></p> | TNV is missing | <p>TNV to reflect Council building heights for Education Policy Area.</p> <p>Council to be consulted on new building heights to be included in TNV for other Policy Areas prior to introduction of Code.</p> <p>Current Development Plan Edu Policy Area PDC 6 reads (in part): Buildings and structures should...</p> <p>(c) <i>have a maximum wall height of 3 metres above natural ground level, for any component of the building which is located within 5 metres of a zone boundary (except for a front boundary); and</i></p> <p>(d) <i>have a maximum wall height of 8 metres above natural ground level, for any component of the building which is located within 10 metres of a zone boundary (except for a front boundary).</i></p> <p>No building height within the Recreation Policy Area or Community Zone generally but refer to City Wide 29 & 30 below</p> |
| <p>PO 3.1 <i>Buildings mitigate visual impacts of building massing on residential development within a neighbourhood zone.</i> DTS/DPF 3.1 <i>Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3 metres above natural ground level at the allotment boundary of a residential allotment within a neighbourhood zone as shown in the following diagram (except where this boundary is a southern boundary in which case DTS/DPF 3.2 will apply, or where this boundary is the primary street boundary):</i> PO 3.2 <i>Buildings mitigate overshadowing of residential development within a neighbourhood zone.</i> DTS/DPF 3.2 <i>Buildings on sites with a southern boundary adjoining a residential allotment within a neighbourhood 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:</i></p> | Disagree with building envelope policy of 45° | <p>Recommend setbacks as per NPSP policy above and include policies such as NPSP CW PDC 29 & 30:</p> <p>Design and Appearance of Land and Buildings CW PDC 29 <i>Except where the zone or policy area objectives, principles of development control and/or desired character of a locality provide otherwise, new buildings:</i> (a) <i>may be of a contemporary appearance and exhibit an innovative style;</i> (b) <i>should complement the urban context of existing buildings on adjoining and nearby land in terms of:</i> (i) <i>maintenance of existing vertical and horizontal building alignments</i> (ii) <i>architectural style, building shape and the use of common architectural elements and features;</i> (iii) <i>consistent colours, materials and finishes; and</i> (c) <i>should not visually dominate the surrounding locality.</i></p> <p>CW PDC 30 <i>Buildings should be designed to minimise their visual bulk and provide visual interest through design elements such as:</i> (a) <i>articulation;</i> (b) <i>colour and detailing;</i> (c) <i>materials, patterns, textures and decorative elements;</i> (d) <i>vertical and horizontal components;</i> (e) <i>design and placement of windows;</i> (f) <i>window and door proportions;</i> (g) <i>roof form and pitch;</i> (h) <i>verandahs and eaves; and</i> (i) <i>variations to facades.</i></p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

General Neighbourhood

ATTACHMENT A

| General Neighbourhood - Description in the <i>Guide to the P&D Code</i> |
|---|
| <p>This zone encourages a range of dwelling types to increase housing diversity and supply. Other non-residential uses, including small scale office and consulting rooms, and a range of community facilities, including education, recreation and community centres, will also be encouraged. Development will generally retain a suburban character and scale of 1 or 2 building levels.</p> |
| General Neighbourhood - Desired Outcome |
| <p>Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of a diversity of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.</p> |
| General Neighbourhood - Anticipated Land Uses |
| <p>PO 1.1 Residential development and supporting uses that provide housing and supporting services and facilities that make it a convenient place to live.</p> <p>DTS/DPF 1.1 Development comprises one or more of the following land uses: - Ancillary accommodation - Community facility - Dwelling - Educational establishment - Office - Outbuilding - Pre-school - Recreation area - Residential flat building - Retirement facility - Shop - Supported accommodation</p> <p>PO 1.2 Residential development accommodates a range of housing choices.</p> <p>DTS/DPF 1.2 Residential development comprises: (a) detached dwellings; (b) semi-detached dwellings; (c) row dwellings; (d) group dwellings; (e) residential flat buildings; (f) retirement facility; and / or (g) supported accommodation.</p> <p>PO 1.3 Non-residential development provides a range of services to the local community primarily in the form of: (a) commercial uses including small scale offices, consulting rooms and personal or domestic services establishment; (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 housing; (d) open space and recreation facilities.</p> <p>PO 1.4 Non-residential development compatible with the residential character and amenity of a neighbourhood.</p> <p>PO 1.5 Shops, consulting rooms and offices of a scale to maintain the amenity of nearby residents.</p> <p>DTS / DPF 1.5 Other than a change in the use of an existing building that has been lawfully used as a shop, office or consulting room (or any combination thereof), or where located with a frontage to an arterial or collector road or adjacent a Main Street or Activity Centre Zone, shops, offices and consulting rooms do not exceed 100m2 in gross leasable floor area (individually or combined).</p> <p>PO 1.6 Larger scale shops, offices and consulting rooms established on higher order roads and adjacent existing commercial and retail precincts.</p> <p>DTS/DPF 1.6 Shop, consulting room and office: (a) floor area does not exceed 200m2; and (b) are located on sites with a frontage to an arterial or collector road or adjacent a Main Street or Activity Centre Zone.</p> |
| Restricted Development |
| <p>Shop (other than a shop with a gross leasable floor area less than 1000m2)</p> |
| Replacing NPSP Zones: |
| <p>Residential Zone (not including Medium Density Policy Area)</p> |
| NPSP Residential Zone Objectives |
| <p>Objective 1: A residential zone comprising a range of dwelling types including affordable housing.</p> <p>Objective 2: Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.</p> <p>Objective 3: Development that contributes to the desired character of the zone</p> |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

General Neighbourhood

ATTACHMENT A

| Changes and Recommendations - General Neighbourhood - Some key issues (not an exhaustive list) | |
|--|--|
| Objectives / Desired Outcome | <ul style="list-style-type: none"> - Residential Zone Objective specifies that dwelling densities will increase in close proximity to centres, transport, & open spaces. Intention is to concentrate higher densities in these areas in the interest of supporting both the residents and services, rather than the increased densities being dispersed across what is typically a large zone. This is not specifically envisaged in the General Neighbourhood Zone. |
| Anticipated Land Uses | <p>Shops</p> <ul style="list-style-type: none"> - In the Residential Zone, shops are anticipated only in certain circumstances including: existing commercial use, on an arterial road, in a mixed use building or ancillary to a retirement facility. The non-comply trigger is up to 150m² floor area where the building was originally constructed for shop use. - In the General Neighbourhood Zone, smaller shops up to 100m² are anticipated in similar (but not the same) circumstances as the Residential Zone. - Shops up to 200m² are anticipated on “higher order roads” and adjacent “existing commercial and retail precincts” It is inferred that ‘higher order roads’ is arterial or collector roads as per the DPF and ‘existing commercial and retail precincts’ are the zones specified in the DPF but this is not clear if you’re reading the PO in isolation. <p>Childcare Centre</p> <ul style="list-style-type: none"> - In the Residential Zone, childcare centres are only anticipated where they are small and on arterial roads. - In the General Neighbourhood Zone, the same parameters don’t apply. Childcare centres in residential zones need to be appropriately located in order to provide convenient services without unreasonably impacting adjacent residential properties <p>Recreation Area</p> <ul style="list-style-type: none"> - The Residential Zone doesn’t anticipate a Recreation Area as per the General Neighbourhood Zone, however given that a Recreation Area is defined as a park etc under the care and control of council or the Crown this is considered reasonable <p>Educational Establishment</p> <ul style="list-style-type: none"> - The Residential Zone doesn’t anticipate an Educational Establishment but this is due to the recent NPSP DPA which rezoned educational establishments to the Community Zone. In many other Councils the residential zones would still include educational establishments (e.g. local primary schools) |
| Non-Complying / Restricted | <p>There is a significantly larger list of non-complying triggers in the Residential Zone compared to the restricted list in the General Neighbourhood Zone</p> <p>Shop</p> <ul style="list-style-type: none"> - The General Neighbourhood restricted threshold for shop is 1000m² which is considered an excessively large threshold in the context of a residential zone. Should this threshold be retained, further policy guidance is required to fill a significant policy gap for assessments of shops which fall between the anticipated 100m² – 200m² and the restricted 1000m². <p>Office/Consulting Room</p> <ul style="list-style-type: none"> - The Residential Zone includes consulting rooms and offices in certain circumstances (e.g. greater than 250m²) as being non-complying. There is no restricted threshold for office or consulting room in the General Neighbourhood Zone which is not appropriate – there should be a restricted threshold for these land uses, particularly over 500m² <p>Other impacting land uses</p> <ul style="list-style-type: none"> - Several other impacting land uses, such as petrol filling station, motor repair station, industry, etc are non-complying in the Residential Zone and should be considered for inclusion as restricted in the General Neighbourhood Zone - It is not logical for General Industry to be restricted in the Business Neighbourhood Zone but not in the General Neighbourhood Zone. |
| Comments | |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <ul style="list-style-type: none"> - Provide clarification of “higher order roads” and “commercial and retail precincts” - Provide policy to guide the assessment of shops between 1-200m² and 1000m² - Include additional land uses as restricted including Industry and Retail Fuel Outlet - Provide greater policy guidance regarding childcare centres | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

General Neighbourhood

ATTACHMENT A

| Zone Policy | Comment | Recommendation |
|--|--|---|
| <p>PO 1.2 Residential development accommodates a range of housing choices. DTS/DPF 1.2 Residential development comprises: (a) detached dwellings; (b) semi-detached dwellings; (c) row dwellings; (d) group dwellings; (e) residential flat buildings; (f) retirement facility; and / or (g) supported accommodation.</p> | <p>Table 2 Includes other residential development including:</p> <ul style="list-style-type: none"> - Ancillary accommodation - Outbuilding - Verandah - Student accommodation | <p>Clarify extent of other anticipated residential development in DPF 1.2</p> |
| <p>PO 1.3 Non-residential development provides a range of services to the local community primarily in the form of: (a) commercial uses including small scale offices, consulting rooms and personal or domestic services establishment; (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 housing; (d) open space and recreation facilities.</p> | <p>There should be policy guidance around the appropriate scale of the community services envisaged in part (b)</p> | <p>Include policies specifying appropriate locations (e.g. arterial roads) and scale (e.g. floor area maximum, or at least specifying 'small scale') of the envisaged community uses</p> |
| <p>PO 1.5 Shops, consulting rooms and offices of a scale to maintain the amenity of nearby residents. DTS / DPF 1.5 Other than a change in the use of an existing building that has been lawfully used as a shop, office or consulting room (or any combination thereof), or where located with a frontage to an arterial or collector road or adjacent a <u>Main Street or Activity Centre Zone</u>, shops, offices and consulting rooms do not exceed 100m² in gross leasable floor area (individually or combined).</p> | <p>It is assumed, but unclear, that 'Main Street' and 'Activity Centre' Zones are any zones in the Code which have that in the zone title</p> | <p>Clarify what is a 'Main Street' or 'Activity Centre' Zone</p> <p>Clarify a practical definition of 'individually or combined'</p> |
| <p>PO 1.6 Larger scale shops, offices and consulting rooms established on <u>higher order roads</u> and adjacent existing <u>commercial and retail precincts</u>. DTS/DPF 1.6 Shop, consulting room and office: (a) floor area does not exceed 200m²; and (b) are located on sites with a frontage to an arterial or collector road or adjacent a Main Street or Activity Centre Zone.</p> | <p>The terms 'high order road' and 'commercial and retail precincts' could be confusing</p> | <p>Clarify that these are referring to 'arterial or collector road' and 'Main Street or Activity Centre Zones'</p> |
| <p>PO 2.1 Allotments/sites created for residential purposes are of suitable size and dimension and compatible with the pattern of development in a low-rise low-density neighbourhood. DTS/DPF 2.1 Development accords with the following: a. site areas (or allotments in the case of land division) not less than: i. 300m² for detached dwellings not on a Battle-axe site/allotment or in a terrace arrangement; ii. 300m² (exclusive of the Battle-axe 'handle') for detached dwellings on a Battle-axe site/allotment; iii. 300m² for semi-detached dwellings; iv. 200m² for row dwellings or detached dwellings in a terrace arrangement; v. 300m² per dwelling for group dwellings and dwellings within a residential flat building; and b. site frontages not less than: i. 9m for detached dwellings not on a Battle-axe site/allotment or in a terrace arrangement</p> | <p>The use of the terms allotments/sites suggest that the policy is intended to apply to either a land division application or a built form application. NPSP supports being able to process built form application prior to land division. It is understood that PDI Act Sec 102(6) is considered to resolve this issue: <i>(6) To avoid doubt, in relation to a proposed development that requires more than 1 consent under this Act, the consents need not be granted in any particular order.</i></p> <p>However, given this section talks about a 'proposed development' and 'consents' it is not considered to address circumstances where the land division and built form application are processed as separate applications as it will not be the same 'proposed development' and would be separate approvals rather than consents.</p> <p>The site areas and frontage widths in DPF 2.1 are different to those in current NPSP policies for the applicable areas. Refer to the table below which compares Code policy with NPSP policy. The NPSP site areas and</p> | <ol style="list-style-type: none"> 1) Minimum site areas and frontage widths consistent with NPSP Policy 2) Clarify whether site areas for group dwellings and RFBs are averages and include or exclude common area |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
General Neighbourhood

ATTACHMENT A

| | | | | | | |
|--|--|---|--------------|--|--|--|
| ii. 5m for detached dwellings on a Battle-axe site/allotment; iii. 9m for semi-detached dwellings; iv. 7m (averaged) for row dwellings or detached dwellings in a terrace arrangement; v. 15m (total) for group dwelling and residential flat building developments. | frontage widths are the preferred policy, particularly where the Code policy results in site areas less than NPSP policy. DPF 2.1(a)(v) refers to site areas for group dwellings and residential flat buildings but doesn't specify whether this is an average and/or includes or excludes common areas. | | | | | |
| PO 3.1 Building footprints consistent with character of a low-density neighbourhood and allow sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation. DTS / DPF 3.1 The development does not result in a total roofed area (excluding eaves of a dwelling) on the site exceeding 60%. | In the current system, dwellings approved through Rescode can be up to 60% without any outdoor covered space. When an applicant later applies for covered outdoor space, which is a reasonable expectation, the site coverage exceeds 60% creating a difficult assessment situation. One solution would be to provide a two part requirement for site coverage – e.g. (a) For the dwelling footprint excluding covered outdoor areas and outbuildings, but including integrated garages = 50% (b) For all roofed area including verandahs, outbuildings etc = 60% | Provide separate site coverage requirement for dwellings excluding outdoor covered area, outbuildings etc | | | | |
| PO 4.1 Buildings contribute to a low-rise suburban character. DTS/DPF 4.1 Building height (excluding garages, carports and outbuildings) no greater than: (a) 2 building levels and 9m; and (b) wall height that is no greater than 7m except in the case of a gable end. | The proposed building height is not consistent with all applicable areas in NPSP Development Plan – refer to table below | TNVs be included to allow building height to reflect NPSP policy | | | | |
| PO 5.1 Buildings are setback from primary street boundaries to contribute to a suburban streetscape character. DTS/DPF 5.1 Buildings setback from the primary street boundary: (a) 8m or more from an arterial road; and (b) 5m from any other road. | The proposed front setback of 5m is less than that anticipated in the NPSP policy for the Residential Zone: PDC 8: <table><tr><td>Parameter</td><td>Value</td></tr><tr><td>Minimum setback from primary road frontage</td><td>6 metres* <i>*A closer set-back may be provided for mixed-use buildings on arterial roads that comprise non-residential uses at ground level.</i></td></tr></table> There doesn't appear to be a requirement for DTS or Performance assessed garages integrated with the dwelling to be set back 5.5m from the primary street, which supports the need for a front setback requirement of greater than 5m. | Parameter | Value | Minimum setback from primary road frontage | 6 metres* <i>*A closer set-back may be provided for mixed-use buildings on arterial roads that comprise non-residential uses at ground level.</i> | Increase front setback to 6m or allow for a TNV to reflect current NPSP policy |
| Parameter | Value | | | | | |
| Minimum setback from primary road frontage | 6 metres* <i>*A closer set-back may be provided for mixed-use buildings on arterial roads that comprise non-residential uses at ground level.</i> | | | | | |
| PO 5.2 Building elements are setback from public streets to contribute to a suburban streetscape character while adding interest and animation to street frontages. DTS/DPF 5.2 The following elements can extend up to 1.5m closer to the primary street than the minimum primary street setback specified in DTS 3.1 : (a) a porch or portico with at least 2 open sides; (b) a balcony; (c) a verandah with at least 3 open sides; (d) window awnings or shading features; and (e) architectural fins or blades. | DTS 3.1 applies to Site Coverage – this should refer to DTS 5.1 Although Rescode and many Development Plan policies allow a small projecting element beyond a specified front setback, allowing any porch, balcony or verandah to be as close as 3.5m from the front setback is likely to be inconsistent with many streetscapes and setback patterns, particularly as some balconies and porches can be very dominant design features. | Amend incorrect reference to: DTS 5.1 Increase front setback as per above <i>and</i> either: <ul style="list-style-type: none">- Remove balconies from this policy as a permissible projection- Porch or porticos must have 3 open spaces and be limited to a height of, say 2.7m- Verandahs limited in width, as a verandah which extends for the full width of the dwelling could be visually imposing at 3.5m from the street | | | | |
| PO 7.1 Boundary walls are limited in height and length to manage impacts on adjoining properties. DTS/DPF 7.1 Dwelling walls on side boundaries either: | A 10m boundary wall would be excessive in many situations. Boundary wall length should be limited to 8m as per current Development Regulations. Longer walls can be assessed in the context of the situation. This policy should apply to non-residential development within the zone | Reduce boundary wall length to 8m | | | | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

General Neighbourhood

| | | |
|--|--|--|
| a. adjoin or abut a boundary wall of a building on adjoining land for the same, or lesser length and height; or b. do not exceed: i. 3 metres in height; ii. 10 metres in length; and will not result in boundary walls on more than 45% of the total length of the side boundary. | | Amend DPF 7.1 to apply to any land use, not just dwellings, or provide a separate policy for non-residential uses if a more onerous policy is required for commercial uses |
| DTS / DPF 8.1 Each dwelling includes at least 3 of the following design features along each façade facing a public road or common driveway: a. a porch or portico that projects at least 1m from the building façade and is open on least 2 sides b. a balcony that projects at least 1.0m from the building façade c. a verandah that projects at least 1m from the building façade d. eaves surrounding the dwelling of a minimum 450mm width e. a minimum 50% of the upper level projects forward a minimum 300mm from the lower level building line f. a minimum of 25% of the façade is setback an additional 300mm g. a porch or portico that projects at least 1m from the building façade and is open on least 2 sides h. a balcony that projects at least 1.0m from the building façade i. a verandah that projects at least 1m from the building façade j. eaves surrounding the dwelling of a minimum 450mm width k. a minimum 50% of the upper level projects forward a minimum 300mm from the lower level building line. | | Delete repeated words |
| Other Comments | | |
| Where is the side and rear setback policy? This is very important in a residential zone and should be included. | | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
General Neighbourhood

Comparison of Code policy with NPSP policy
Pink text indicates difference in policy

| NPSP Development Plan | | | P&D Code | | Comments |
|---|----------------------------------|---------------------------------|--|----------------------------------|--|
| Residential Zone (no policy area) | | | General Neighbourhood | | |
| Building Height | | | Building Height | | |
| Two storey – except for: Hammerhead developments: generally single storey Additions to pre 1940s in Payneham South & Victoria St Payneham: single storey streetscape appearance | | | Two storeys, 9m Wall heights 7m | | Building height does not reflect circumstances for hammerhead developments or additions to pre 1940s dwellings in areas specified. |
| | Site Area (m2) | Frontage (m) | Site Area (m2) | Frontage (m) | |
| Detached (with a double garage) | 350 | 12.5 | 300 | 9 | Site area less, and doesn't reflect double garage requirements |
| Detached (with a single garage) | 330 | 9 | | (note policies re: garage width) | |
| Detached (hammerhead allotment) | 330 (excluding driveway handle) | 4 | 300 (excluding driveway handle) | 5 | Site area is less Frontage width is greater |
| Semi-detached (with a double garage) | 320 | 12.5 | 300 | 9 | Site area and frontage width are less for semi's with double garages |
| Semi-detached (with a single garage) | 300 | 8 | | (note policies re: garage width) | |
| Group Dwelling | 325 ave (excluding common areas) | 18 (total development frontage) | 300 | 15 (total) | Site area is less and doesn't specify whether common area is included or excluded Frontage width is less – group dwellings on 15m frontages is problematic and will open up several more allotments to subdivision (there are several 50' blocks which can't currently be subdivided but would under this policy) |
| Residential Flat Building | 250 ave (excluding common areas) | 18 (total development frontage) | 300 | 15 (total) | Site area is greater but doesn't specify whether common area is included or excluded Frontage width is less – RFBs on 15m frontages are problematic and will open up several more allotments to subdivision (there are several 50' blocks which can't currently be subdivided but would under this policy) |
| Row Dwelling (with a single garage) | 300 | 7 | 200 (note this also applies to dwellings in a terrace arrangement) | 7 averaged | Site area is less Frontage width is equivalent or greater, but lacks distinction between rear access and no rear access. |
| Row Dwelling (with rear access) | 250 | 6 | | | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Housing Diversity Neighbourhood

ATTACHMENT A

| Housing Diversity Neighbourhood- Description in the <i>Guide to the P&D Code</i> |
|---|
| Development in this zone will generally retain a low-rise residential character and will involve replacing existing dwellings with medium density housing, primarily in the form of terrace housing, group dwellings or residential flat buildings. |
| Housing Diversity Neighbourhood- Desired Outcome |
| Low-rise medium density housing that supports a range of needs and lifestyles located within easy reach of a diversity of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity. |
| Housing Diversity Neighbourhood - Anticipated Land Uses |
| PO 1.1 Residential development and supporting uses that provide housing and supporting services and facilities that make it a convenient place to live. DTS/DPF 1.1 Development comprises one or more of the following land uses: Ancillary accommodation Community facility Dwelling Educational establishment Office Outbuilding Pre-school Recreation area Residential flat building Retirement facility Shop Supported accommodation. |
| PO 1.2 Residential development accommodates a range of housing choices. DTS/DPF 1.2 Residential development comprises: (a) detached dwellings; (b) semi-detached dwellings; (c) row dwellings; (d) group dwellings; (e) residential flat buildings; (f) ancillary accommodation; (g) retirement facility; and / or (h) supported accommodation. |
| PO 1.3 Non-residential development provides a range of services to the local community primarily in the form of: (a) commercial uses including small scale offices, shops and consulting rooms; (b) community services such as educational establishments, community centres, places of worship, pre-schools, child care and other health and welfare services; (c) services and facilities ancillary to the function or operation of supported accommodation or retirement housing; and (d) open space and recreation facilities. DTS 1.3 None are applicable |
| PO 1.4 Non-residential development compatible with residential character and amenity. DTS 1.4 None are applicable |
| PO 1.5 Shops, consulting rooms and offices of a scale to maintain the amenity of nearby residents. DTS / DPF 1.5 Other than a change in the use of an existing building that has been lawfully used as a shop, office or consulting room (or any combination thereof), or where located with a frontage to an arterial or collector road or adjacent a Main Street or Activity Centre Zone, shops, offices and consulting rooms do not exceed 100m2 in gross leasable floor area (individually or combined). |
| PO 1.6 Larger scale shops, offices and consulting rooms established on higher order roads or adjacent existing commercial and retail precincts. DTS/DPF 1.6 Shops, consulting rooms or offices with a floor area not exceeding 200m2 located on sites with a frontage to an arterial or collector road or adjacent an Urban Corridor, Main Street or Activity Centre Zone. |
| Restricted Development |
| Shop (other than a shop with a gross leasable floor area less than 1000m ²) |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Housing Diversity Neighbourhood

ATTACHMENT A

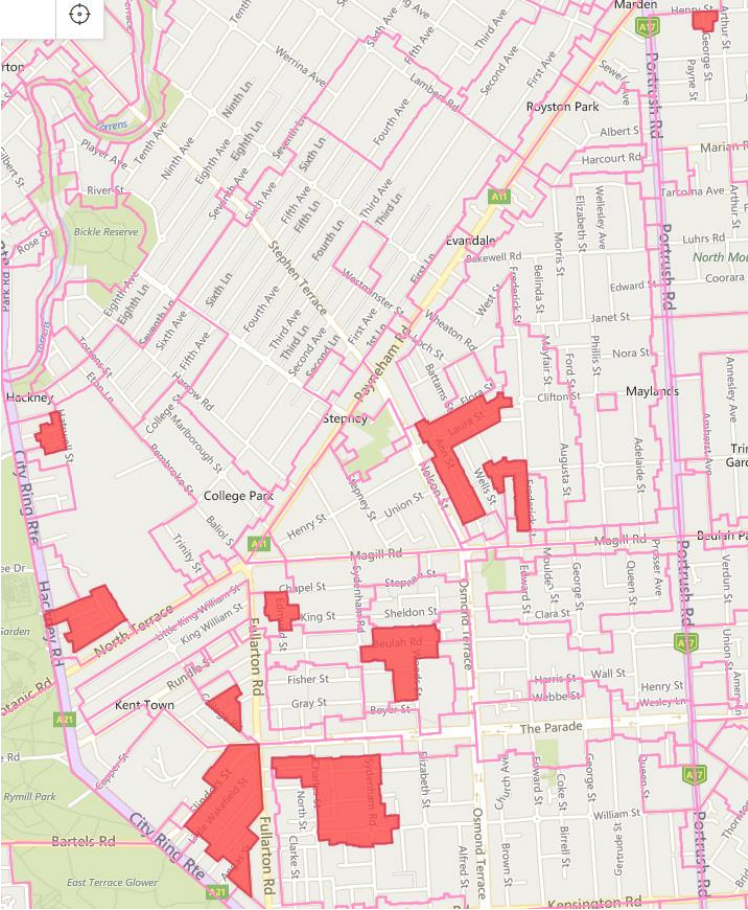
| Replacing NPSP Zones: |
|--|
| <p><u>Residential Zone</u> (<i>Medium Density Policy Area only</i>)</p> <p><u>Residential Historic (Conservation) Zone</u></p> <p><i>Policy Areas: Hackney North, Hackney South, Kent Town 1, Kent Town 2, Norwood 2, Norwood 3, Norwood 5, Payneham (Henry St / George St), Stepney</i></p> |
| NPSP Zone Objectives |
| <p><u>Residential Zone – Medium Density</u></p> <p>Objective 1: A residential Policy Area comprising a range of medium density dwellings, including a minimum of 15 per cent affordable housing, designed to integrate with areas of open space, neighbouring centres or public transport nodes.</p> <p>Objective 2: Development that provides a transition down in scale and intensity at the boundaries of the Policy Area with adjacent residential land outside of the Policy Area.</p> <p>Objective 3: Development that supports the viability of community services and infrastructure and reflects good urban design principles.</p> <p>Objective 4: Development that contributes to the desired character of the Policy Area</p> |
| <p><u>Residential Historic (Conservation) Zone</u></p> <p>Objective 1: Development that conserves the heritage value and historic character of the Residential Historic (Conservation) Zone and reinforces the desired character of the zone and the relevant policy area.</p> <p>Objective 2: The preservation of areas of historical significance primarily in residential use.</p> <p>Objective 3: The retention, enhancement and conservation of land, buildings and their settings, structures and landscape elements within the Residential Historic (Conservation) Zone that contribute significantly to its heritage value and historic character.</p> <p>Objective 4: Continued residential use in a variety of housing types and at dwelling densities consistent with the historic character for each of the relevant policy areas within the zone.</p> <p>Objective 5: Development that is sympathetic and compatible with the heritage value and historic character of the zone, but is also subordinate to the local historic character in terms of streetscape impact.</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Housing Diversity Neighbourhood

ATTACHMENT A

| Changes and Recommendations - Housing Diversity Neighbourhood - Some key issues (not an exhaustive list) | |
|---|---|
| Objectives / Desired Outcome | <ul style="list-style-type: none"> - The Housing Diversity Neighbourhood Desired Outcome is similar to the Medium Density Policy Area Objective 1, however there is a greater emphasis on non-residential development. - The HDN Desired Outcome doesn't reflect Objective 2 with respect to a transition down in scale and intensity at the policy area/ zone boundary - The HDN does not at all reflect the Objectives of the Residential Historic (Conservation) Zone |
| Anticipated Land Uses | <p><u>Housing Diversity Neighbourhood / Residential Historic (Conservation)</u></p> <ul style="list-style-type: none"> - There are significant differences between the HDN and the RH(C) for non-residential land uses. The only non-residential land use anticipated in the RH(C) is where there is a historic basis for such a use and the non-complying trigger is 100m². - RH(C) policy area policies generally anticipate a limited range of dwelling types (typically detached, semi-detached & row dwellings) whereas the HDN policies anticipate a much broader range. <p><u>Housing Diversity Neighbourhood / Residential - Medium Density Policy Area</u></p> <p>Shops</p> <ul style="list-style-type: none"> - In the Residential Zone, shops are anticipated only in certain circumstances including: existing commercial use, on an arterial road, in a mixed use building or ancillary to a retirement facility. The non-complying trigger is up to 150m² floor area where the building was originally constructed for shop use or 250m² where on the ground floor of a mixed use building on an arterial road. - In the HDN Zone, smaller shops up to 100m² are anticipated in similar (but not the same) circumstances as the Residential Zone. - Larger shops up to 200m² are anticipated on “higher order roads” and adjacent “existing commercial and retail precincts” <i>What is the definition of a 'high order roads' or 'commercial and retail precincts'?</i> Understanding these terms are necessary to understand whether these parameters are appropriate. As per comments in General Neighbourhood Zone, the DPF indicates what these terms mean but it is difficult if the PO is read independently. <p>Childcare Centre</p> <ul style="list-style-type: none"> - In the Residential Zone, childcare centres are only anticipated where they are small and on arterial roads. - In the HDN Zone, the same parameters don't apply. Childcare centres in residential zones need to be appropriately located in order to provide convenient services without unreasonably impacting adjacent residential properties <p>Recreation Area</p> <ul style="list-style-type: none"> - The Residential Zone doesn't anticipate a Recreation Area as per the HDN Zone, however given that a Recreation Area is defined as a park etc under the care and control of council or the Crown this is considered reasonable <p>Educational Establishment</p> <ul style="list-style-type: none"> - The Residential Zone doesn't anticipate an Educational Establishment but this is due to the recent NPSP DPA which rezoned educational establishments to the Community Zone. In many other Councils the residential zones would still include educational establishments (e.g. local primary schools) |
| Non-Complying / Restricted | <p>There is a significantly larger list of non-complying triggers in the Residential Zone and Residential Historic (Conservation) Zone compared to the restricted list in the Housing Diversity Neighbourhood Zone</p> <p>Shop</p> <ul style="list-style-type: none"> - The HDN threshold for shop is 1000m² which is considered an excessively large threshold in the context of a residential zone. Should this threshold be retained, further policy guidance is required to fill a significant policy gap for assessments of shops which fall between the anticipated 100m² – 200m² and the restricted 1000m². <p>Office/Consulting Room</p> <ul style="list-style-type: none"> - The Residential Zone includes consulting rooms and offices in certain circumstances (e.g. greater than 250m²) as being non-complying. There is no restricted threshold for office or consulting room in the Housing Diversity Neighbourhood Zone which is not appropriate – there should be a restricted threshold for these land uses, particularly over 500m² <p>Other impacting land uses</p> <ul style="list-style-type: none"> - Several other impacting land uses, such as petrol filling station, motor repair station, industry, car wash etc are non-complying in the Residential Zone and Residential Historic (Conservation) Zone and should be considered for inclusion as restricted in the General Neighbourhood Zone - It is not logical for General Industry to be restricted in the Business Neighbourhood Zone but not in the HDN Zone. <p>cont.</p> |

| | |
|---|--|
| <p>Comments</p> | <p><u>Residential Historic (Conservation) Zone</u> <i>Policy Areas: Hackney North, Hackney South, Kent Town 1, Kent Town 2, Norwood 2, Norwood 3, Norwood 5, Payneham (Henry St / George St), Stepney'</i></p>  <p>HDN was presumably applied to the above policy areas due to small site areas (200-250m²) in these localities and reflected in current Development Plan Policy. However:</p> <ul style="list-style-type: none">- the description of the zone in the guide includes: <i>“replacing existing dwellings with medium density housing, primarily in the form of terrace housing, group dwellings or residential flat buildings”</i> (Guide Pg 57). While ‘replacing existing dwellings’ isn’t replicated in zone policy, it indicates the intent of the zone isn’t compatible with Historic Area Overlays- the range of dwelling types in the HDN Zone is broader than the dwelling types anticipated in many RHCZ policy areas. Establishing dwelling types is important in the character and development outcomes in an area- HDN zone doesn’t specify or allow for a specified <u>frontage width</u> or <u>site coverage</u>, inconsistent with some of these policy areas <p>There would be similar localities in other councils where the development objectives are to preserve row cottages and maisonettes on smaller allotments.</p> |
| <p>Recommendations for Desired Outcomes, land use and spatial application:</p> <p>HDN Zone should not apply to RH(C)Z areas</p> <ul style="list-style-type: none">- Recommend a new zone which better reflects conservation in a medium density environment. <p>OR, only if that is not achievable:</p> <ul style="list-style-type: none">- Subzone in the Suburban Neighbourhood zone which reflects a higher (i.e. medium rather than low) density area. <p>Other recommendations:</p> <ul style="list-style-type: none">- Provide clarification of “higher order roads” and “commercial and retail precincts”- Provide policy to guide the assessment of shops between 1-200m2 and 1000m2- Include additional land uses as restricted including Industry, Retail Fuel Outlet etc | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Housing Diversity Neighbourhood

| Zone Policy | Comment | Recommendation |
|--|---|---|
| <p>PO 1.1 <i>Residential development and supporting uses that provide housing and supporting services and facilities that make it a convenient place to live.</i> DTS/DPF 1.1 <i>Development comprises one or more of the following land uses:</i> <i>Ancillary accommodation</i> <u><i>Community facility</i></u> <u><i>Dwelling</i></u> <u><i>Educational establishment</i></u> <i>Office</i> <i>Outbuilding</i> <i>Pre-school</i> <u><i>Recreation area</i></u> <i>Residential flat building</i> <i>Retirement facility</i> <i>Shop</i> <i>Supported accommodation.</i></p> | <p>The underlined land uses in DPF 1.1 are not included in the Performance Assessed Classification Table so would need to fall under “All other Code Assessed Development”. If these are envisaged land uses, shouldn’t they be included in the performance assessed table?</p> <p>Note that various dwelling types are included in the Performance Assessment table, but not undefined dwelling which could, for example, include a dwelling in a mixed use building.</p> | <p>Include underlined land uses in Table 3.</p> |
| <p>PO 1.3 Non-residential development provides a range of services to the local community primarily in the form of: (a) commercial uses including small scale offices, shops and consulting rooms; (b) <u>community services such as educational establishments, community centres, places of worship, pre-schools, child care and other health and welfare services;</u> (c) services and facilities ancillary to the function or operation of supported accommodation or retirement housing; and (d) open space and recreation facilities.</p> | <p>There are no policies providing guidance for the land uses anticipated in part (b).</p> | <p>Provide policies which provide guidance for all land uses which are anticipated in PO 1.3.</p> |
| <p>PO 1.6 Larger scale shops, offices and consulting rooms established on higher order roads or adjacent existing commercial and retail precincts. DTS/DPF 1.6 Shops, consulting rooms or offices with a floor area not exceeding 200m2 located on sites with a frontage to an arterial or collector road or adjacent an Urban Corridor, Main Street or Activity Centre Zone.</p> | <p>PO 1.6 and DTS 1.6 should use the same language with respect to higher order roads vs arterial / collector road and commercial & retail precinct vs Urban Corridor, Main Street or Activity Centre Zone</p> | <p>Standardise language so that it is clear that ‘higher order’ = arterial or collector, and commercial & retail precinct Urban Corridor, Main Street or Activity Centre Zone</p> |
| <p>PO 2.1 Allotments created for residential purposes accommodate a diverse range of low - medium density housing. DTS/DPF 2.1 Development achieves a net residential density of up to 70 dwellings per hectare.</p> | <p>The Housing Diversity Neighbourhood Zone applies across several areas in metro Adelaide where land divisions would most commonly involve the division of an existing ‘suburban’ allotment – e.g. 700 – 1000m2 into one or two.</p> <p>Using a measure of dwellings / hectare will not be an appropriate method for determining density for many of the subdivisions which occur in this area. 70dw/Ha equates on average to 142m² and this doesn’t account for driveways or common areas. At best, a measure of dwellings/Ha should only apply to multi-storey residential flat buildings or dwellings in a mixed use building, where these are appropriate</p> | <p>Include minimum site areas and frontage widths for: Detached, semi-detached, row, group dwellings and RFBs up to 2 storeys in height.</p> |
| <p>PO 3.1 Buildings contribute to a low-rise residential character and complement the height of nearby buildings. DTS/DPF 3.1 Building height (excluding garages, carports and outbuildings) does not exceed that specified in the Building Height Data Overlay.</p> | <p>TNV is 2 storeys.</p> <p>This is inconsistent with current Development Plan policy. See map and tables below</p> | <p>Amend TNV to reflect Development Plan policy</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Housing Diversity Neighbourhood

ATTACHMENT A

| | | |
|---|--|---|
| <p>PO 4.1 Buildings are setback from primary street boundaries to establish a consistent streetscape character <u>and provide a functional semi-private space between the building and street.</u></p> <p>DTS/DPF 4.1 Buildings are setback from the primary street boundary: (a) 8m or more when the primary street boundary is an arterial road; (b) 3m from any other road.</p> | <p>Policies should not encourage high fencing or similar in front yards as it can have a significant detrimental impact on streetscape amenity, passive surveillance, and community interaction.</p> <p>A front setback of 3m is quite close – particularly considering DPF 4.2 allows protruding structures to be 1.5m closer – i.e. 1.5m from the street. NPSP policy for the Medium Density Policy Area allows 4m which is considered an appropriate minimum (noting that where the locality has very close front setbacks a departure from the DTS could be assessed on its merits).</p> <p>There doesn't appear to be a requirement for DTS or Performance assessed garages integrated with the dwelling to be set back 5.5m from the primary street, which supports the need for a front setback requirement of greater than 3m</p> | <p>Delete the underlined text</p> <p>Increase front setback minimum to 4m</p> <p>Include policies which require integrated garages to be set back at least 5.5m</p> |
| <p>PO 4.2 Building elements are setback from public streets to establish a consistent streetscape character while adding interest and <u>animation</u> to street frontages.</p> <p>DTS/DPF 4.2 The following elements can extend up to 1.5m closer to the street than the minimum primary street setback specified in DTS 4.1: (a) a porch or portico with at least 2 open sides; (b) a balcony; (c) a verandah with at least 3 open sides; (d) window awnings or shading features; and (e) architectural fins or blades.</p> | <p>As above, a 1.5m setback to porches, balconies, verandahs and the like is considered too close, particularly given the potential bulk and scale of some of these elements.</p> | <p>Assume 'animation' should be 'activation' or 'articulation'?</p> <p>Increase front setback as per above <i>and</i> either:</p> <ul style="list-style-type: none"> - Remove balconies from this policy as a permissible projection - Porch or porticos must have 3 open spaces and be limited to a height of, say 2.7m - Verandahs limited in width, as a verandah which extends for the full width of the dwelling could be visually imposing at 3.5m from the street. A wider verandah would be appropriate but at a greater distance from the street. |
| <p>PO 6.1 Boundary walls are limited in height and length to manage impacts on adjoining properties.</p> <p>DTS/DPF 6.1 Dwelling walls on side boundaries either: (a) adjoin or abut a boundary wall of a building on adjoining land for the same, or lesser length and height; or (b) do not exceed: (i) 3 metres in height; (ii) 10 metres in length; and i. will not result in boundary walls on more than 45% of the total length of the side boundary.</p> | <p>Refer to previous comments on boundary wall length</p> | <p>Reduce boundary wall length</p> |
| <p>PO 8.1 Buildings are set back from rear boundaries to provide: (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) open space recreational opportunities; and (d) space for landscaping and vegetation.</p> <p>DTS/DPF 8.1 Buildings are set back from the rear boundary: (a) 3m or more for the first building level; and (b) 5m or more for any second building level; and (c) 5m plus any increase in wall height over 7m for buildings three storey and above.</p> | <p>As above, PO 8.1 applies in the classification tables to non-residential land uses but the rear setbacks provided may not be sufficient depending on the nature of the building</p> <p>The 3m rear setback at ground level is unlikely to facilitate a tree planting with mature spread of 2-4m as per Design in Urban Areas – Residential Dev 3 building levels or less DPF 21.2</p> | <p>Increase rear setbacks – recommend 4m for single storey and 6m for upper level plus additional height calculated based on wall height for walls which are 3 levels or above</p> |

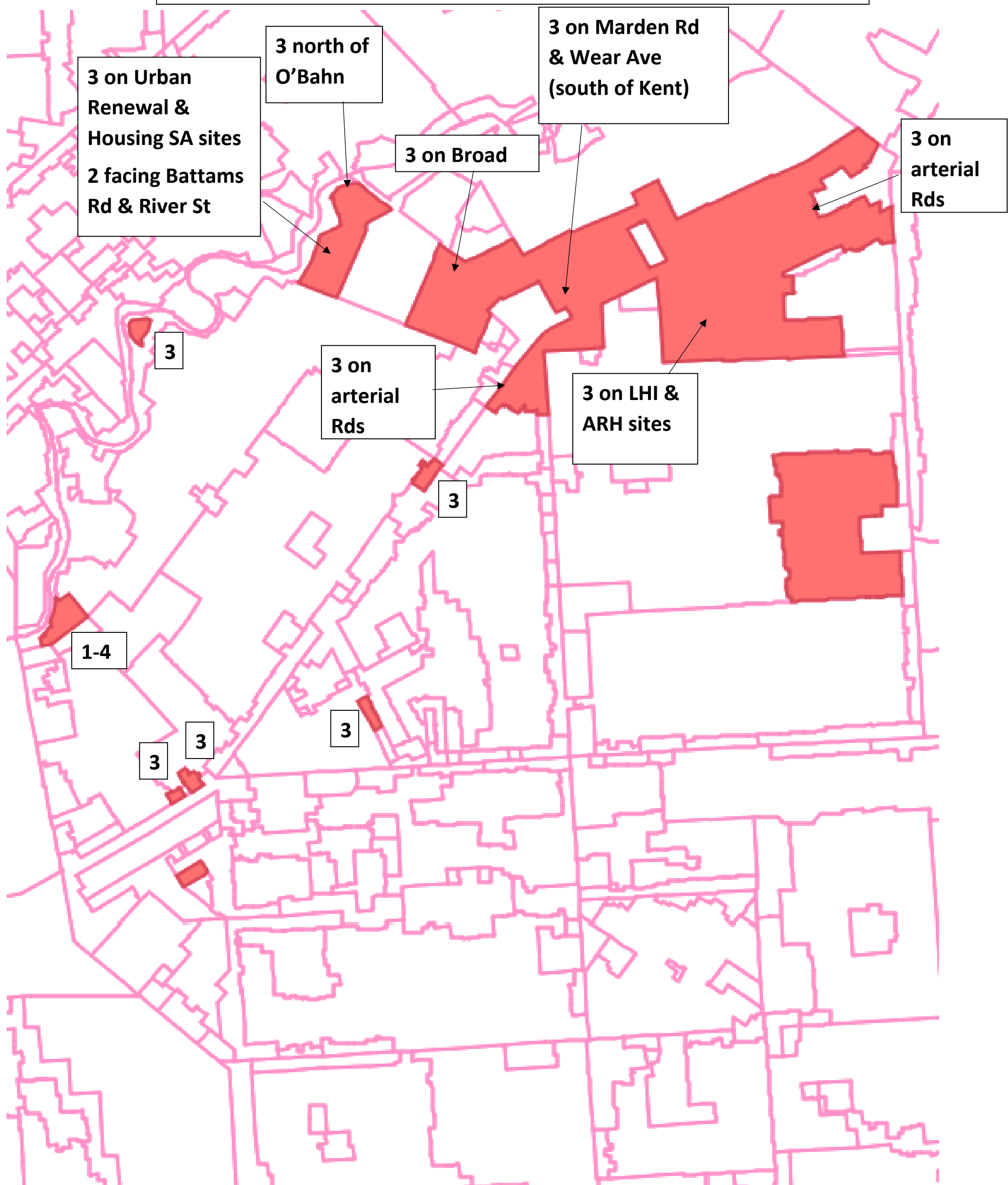
DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Housing Diversity Neighbourhood

ATTACHMENT A

| | | |
|--|--|---|
| DTS/DPF 9.1 Each dwelling includes at least 3 of the following design features along each façade facing a public road or common driveway: (a) a minimum of 25% of the façade is setback an additional 300mm; (b) a porch or portico that projects at least 1m from the building façade and is open on least 2 sides; (c) a balcony that projects at least 1.0m from the building façade; (d) a verandah that projects at least 1m from the building façade; (e) eaves surrounding the dwelling of a minimum 450mm width; (f) <u>a minimum 50% of the upper level projects forward a minimum 300mm from the lower level building line.</u> | DPF 9.1(f) should have a maximum projection and/or clarification that a protruding upper level would need to comply with the front setback requirements | |
| There is no policy / TNV for frontage width | <p>For urban residential subdivisions which are not apartment style developments (e.g detached, semi-detached, row, group, RFBs of 1 or 2 storeys), site frontages are incredibly useful and important for guiding assessments.</p> <p>TNVs for frontage widths have been applied to some HDN areas in NPSP which are currently within the Residential Historic (Conservation) Zone to reflect the frontage widths provided in some of these RH(C)Z policy areas. The inclusion of these TNVs is supported, but there is no policy within the HDN Zone to support this.</p> <p>See comparison tables below for existing and proposed policy.</p> | <p>A policy should be included to allow for TNVs to reflect frontage width requirements.</p> <p>As per above table, it is recommended that any existing RH(C)Z areas are <i>not</i> transitioned to the HDN Zone.</p> |
| There is no policy / TNV for site coverage | <p>As with frontage widths, for urban residential subdivisions which are not apartment style developments, site coverage is important in maintaining the desired character of an area, facilitating landscaping, stormwater management, and reducing impacts on neighbours.</p> <p>See comparison tables below for existing and proposed policy.</p> | <p>A policy should be included to specify appropriate site coverage and/or allow for a TNV for site coverage.</p> |

Residential Zone – Medium Density PA shown in RED

Building heights are 2 storeys unless otherwise specified



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Housing Diversity Neighbourhood

ATTACHMENT A

| NPSP Development Plan | | | P&D Code | Comments |
|---|----------------------------------|---------------------------------|---------------------------------|--|
| Residential Zone – Medium Density | | | Housing Diversity Neighbourhood | |
| Building Height | | | Building Height | |
| Refer to map | | | TNV | The TNV does not reflect the various building heights as outlined in current Development Plan policies. Refer to map. |
| | Site Area (m2) | Frontage (m) | Density | Dwellings per hectare is not an appropriate measure of density within an inner suburban area where sites are predominately under separate, private ownership and are generally divided into 2 or 3. Site areas and frontage widths are more appropriate in the areas where the Medium Density Policy Area applies. |
| Detached (with a double garage) | 350 | 12.5 | 70 dwellings/ Ha | |
| Detached (with a single garage) | 330 | 9 | | |
| Detached (hammerhead allotment) | 330 (excluding driveway handle) | 4 | | |
| Semi-detached (with a double garage) | 320 | 12.5 | | |
| Semi-detached (with a single garage) | 300 | 8 | | |
| Group Dwelling | 200 ave (excluding common areas) | 18 (total development frontage) | | |
| Residential Flat Building *note minimum floor areas apply | No minimum | 18 (total development frontage) | | |
| Row Dwelling | 200 | 5 | | |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|---|---------------------------------|--|---|
| RHCZ – Hackney North | | Housing Diversity Neighbourhood | | |
| Building Height | One Storey | Building Height | 2 storeys 9m | Wrong building height |
| Dwelling Type | Detached, Semi, Row | Dwelling Type | <ul style="list-style-type: none">- Detached (not hammerhead)- Semi- Row- Dwellings or RFB under housing renewal- Detached in a hammerhead- Group- RFB- Supported accommodation- Student accommodation | Only Detached, semi, row dwelling anticipated in Hackney North |
| Site Area | 200 | Site Area | TNV: 200m2 HDN Zone policy: 70 dwellings/Hectare | HDN Policy doesn't allow for TNV for site area but we have been given one. D/ha is not appropriate. |
| Frontage Width | The site for a dwelling should have a primary street frontage of not less than the following: (a) Detached Dwelling: 9 metres (b) Semi-detached dwelling: 7 metres (c) Row dwelling 6 metres | Frontage Width | None | HDN Policy doesn't allow for frontage width policy/ TNV which is important in this zone |
| Site Coverage | 70% | Site Coverage | None | HDN policy doesn't allow for site coverage policy/TNV which is important in this zone |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Housing Diversity Neighbourhood

ATTACHMENT A

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|---|---------------------------------|--|---|
| RHCZ – Hackney South | | Housing Diversity Neighbourhood | | |
| Building Height | 1 storey | Building Height | 2 storeys 9m | Wrong building height |
| Dwelling Type | Detached Dwelling Semi-detached Dwelling Row Dwelling | Dwelling Type | <ul style="list-style-type: none">- Detached (not hammerhead)- Semi- Row- Dwellings or RFB under housing renewal- Detached in a hammerhead- Group- RFB- Supported accommodation Student accommodation | Only Detached, semi, row dwelling anticipated in Hackney South |
| Site Area | 200 | Site Area | TNV: 200m2 HDN Zone policy: 70 dwellings/Hectare | HDN Policy doesn't allow for TNV for site area but we have been given one. D/ha is not appropriate. |
| Frontage Width | (a) Detached Dwelling: 8 metres (b) Semi-detached dwelling: 6 metres (c) Row dwelling 6 metres. | Frontage Width | None | HDN Policy doesn't allow for frontage width policy/ TNV which is important in this zone |
| Site Coverage | 70 | Site Coverage | None | HDN policy doesn't allow for site coverage policy/TNV which is important in this zone |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|-----------|---------------------------------|--|---|
| RHCZ – Kent Town 1 | | Housing Diversity Neighbourhood | | |
| Building Height | 2 storeys | Building Height (TNV) | 2 storeys 9m | |
| Dwelling Type | Range | Dwelling Type | <ul style="list-style-type: none">- Detached (not hammerhead)- Semi- Row- Dwellings or RFB under housing renewal- Detached in a hammerhead- Group- RFB- Supported accommodation- Student accommodation | |
| Site Area | 200 | Site Area (TNV) | TNV: 200m2 HDN Zone policy: 70 dwellings/Hectare | HDN Policy doesn't allow for TNV for site area but we have been given one. D/ha is not appropriate. |
| Frontage Width | None | Frontage Width (TNV) | None | |
| Site Coverage | None | Site Coverage | None | |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|-----------|---------------------------------|--|----------|
| RHCZ –Kent Town 2 | | Housing Diversity Neighbourhood | | |
| Building Height | 2 storeys | Building Height | 2 storeys 9m | |
| Dwelling Type | Range | Dwelling Type | <ul style="list-style-type: none">- Detached (not hammerhead)- Semi- Row- Dwellings or RFB under housing renewal- Detached in a hammerhead- Group- RFB- Supported accommodationStudent accommodation | |
| Site Area | 200 | Site Area | TNV: 200m2 HDN Zone policy: 70 dwellings/Hectare | |
| Frontage Width | None | Frontage Width | None | |
| Site Coverage | None | Site Coverage | None | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Housing Diversity Neighbourhood

ATTACHMENT A

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|-----------|---------------------------------|--|----------|
| RHCZ –Norwood 2 | | Housing Diversity Neighbourhood | | |
| Building Height | 2 storeys | Building Height | 2 storeys | |
| Dwelling Type | Range | Dwelling Type | <div><div>- Detached (not hammerhead)</div><div>- Semi</div><div>- Row</div><div>- Dwellings or RFB under housing renewal</div><div>- Detached in a hammerhead</div><div>- Group</div><div>- RFB</div><div>- Supported accommodation</div><div>Student accommodation</div></div> | |
| Site Area | 200 | Site Area | <div>TNV: 200m2</div> <div>HDN Zone policy: 70 dwellings/Hectare</div> | |
| Frontage Width | None | Frontage Width | None | |
| Site Coverage | None | Site Coverage | None | |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|---------------------------------------|---------------------------------|--|--|
| RHCZ –Norwood 3 | | Housing Diversity Neighbourhood | | |
| Building Height | 2 storeys | Building Height | 2 storeys | |
| Dwelling Type | Range | Dwelling Type | <div><div>- Detached (not hammerhead)</div><div>- Semi</div><div>- Row</div><div>- Dwellings or RFB under housing renewal</div><div>- Detached in a hammerhead</div><div>- Group</div><div>- RFB</div><div>- Supported accommodation</div><div>Student accommodation</div></div> | |
| Site Area | 250 (or 200 if it doesn't contribute) | Site Area | TNV: 250m2 HDN Zone policy: 70 dwellings/Hectare | |
| Frontage Width | None | Frontage Width | None | HDN Policy doesn't allow for TNV for site area but we have been given one. D/ha is not appropriate. |
| Site Coverage | None | Site Coverage | None | |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|---------------------------------------|---------------------------------|--|---|
| RHCZ – Norwood 5 | | Housing Diversity Neighbourhood | | |
| Building Height | 2 storeys | Building Height | 2 storeys | |
| Dwelling Type | Range | Dwelling Type | <div><div>- Detached (not hammerhead)</div><div>- Semi</div><div>- Row</div><div>- Dwellings or RFB under housing renewal</div><div>- Detached in a hammerhead</div><div>- Group</div><div>- RFB</div><div>- Supported accommodation</div><div>- Student accommodation</div></div> | |
| Site Area | 250 (or 200 if it doesn't contribute) | Site Area | <div>TNV: 250m2</div> <div>HDN Zone policy: 70 dwellings/Hectare</div> | HDN Policy doesn't allow for TNV for site area but we have been given one. D/ha is not appropriate. |
| Frontage Width | None | Frontage Width | None | |
| Site Coverage | None | Site Coverage | None | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Housing Diversity Neighbourhood

ATTACHMENT A

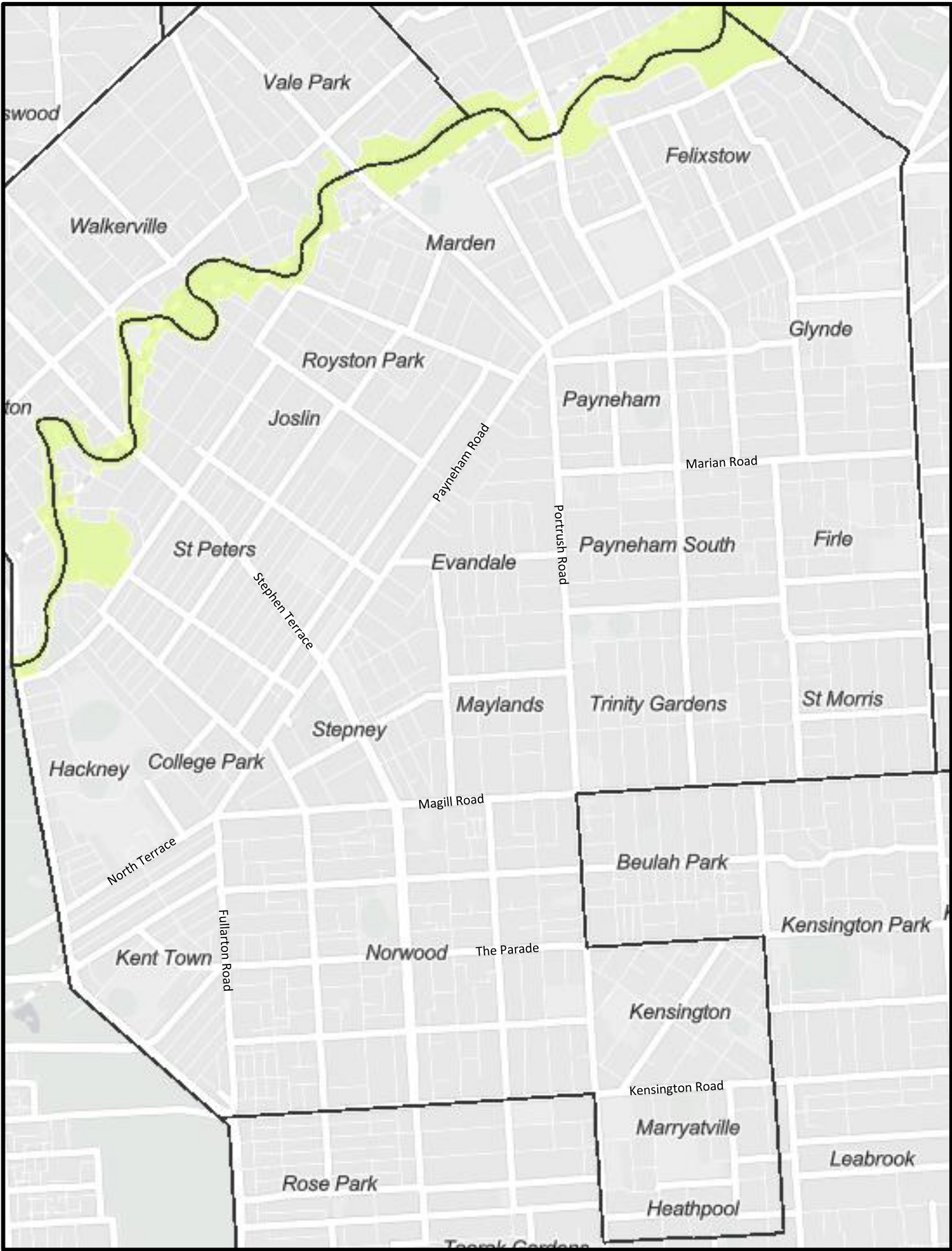
| NPSP Development Plan | | P&D Code | | Comments |
|----------------------------------|--|---------------------------------|--|---|
| RHCZ – Payneham (Henry / George) | | Housing Diversity Neighbourhood | | |
| Building Height | 1 storey | Building Height | 2 storeys | Wrong building height |
| Dwelling Type | Detached/Semi | Dwelling Type | <div><div>- Detached (not hammerhead)</div><div>- Semi</div><div>- Row</div><div>- Dwellings or RFB under housing renewal</div><div>- Detached in a hammerhead</div><div>- Group</div><div>- RFB</div><div>- Supported accommodation</div><div>- Student accommodation</div></div> | Only detached and semi anticipated in Payneham (Henry/George) |
| Site Area | 200 | Site Area | TNV: 200m2 HDN Zone policy: 70 dwellings/Hectare | HDN Policy doesn't allow for TNV for site area but we have been given one. D/ha is not appropriate. |
| Frontage Width | (a) Detached Dwelling: 12 metres (b) Semi-detached Dwelling: 6 metres | Frontage Width | None | HDN Policy doesn't allow for frontage width policy/ TNV which is important in this zone |
| Site Coverage | 65% | Site Coverage | None | HDN policy doesn't allow for site coverage policy/TNV which is important in this zone |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|--|---------------------------------|--|---|
| RHCZ - Stepney | | Housing Diversity Neighbourhood | | |
| Building Height | 1 storey | Building Height | 2 storeys | Wrong height |
| Dwelling Type | Detached, Semi, Row | Dwelling Type | <ul style="list-style-type: none">- Detached (not hammerhead)- Semi- Row- Dwellings or RFB under housing renewal- Detached in a hammerhead- Group- RFB- Supported accommodation Student accommodation | Only Detached, semi, and row anticipated in Stepney |
| Site Area | 200 | Site Area | TNV: 200m2 HDN Zone policy: 70 dwellings/Hectare | HDN Policy doesn't allow for TNV for site area but we have been given one. D/ha is not appropriate. |
| Frontage Width | (a) Detached Dwelling: 8 metres (b) Semi-detached dwelling (with rear lane access): 6 metres (c) Semi-detached dwelling (not including rear lane access) 8 metres (d) Row dwelling (with rear lane access) 6 metres | Frontage Width | None | HDN Policy doesn't allow for frontage width policy/ TNV which is important in this zone |
| Site Coverage | 60% | Site Coverage | None | HDN policy doesn't allow for site coverage policy/TNV which is important in this zone |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Open Space

| Open Space - Description in the <i>Guide to the P&D Code</i> |
|--|
| <i>Not included in Guide?</i> |
| Open Space - Desired Outcome |
| Areas of natural and landscaped open space that provide visual relief to the built environment for the enjoyment of the community. |
| Open Space - Anticipated Land Uses |
| PO 1.1 Development is associated with or ancillary to the provision of unstructured outdoor passive and active recreation facilities. DTS/DPF 1.1 Development comprises one or more of the following land uses: • Open space • Outdoor sports courts • Recreation area • Sporting ovals and fields |
| PO 1.2 Buildings are limited in number and size to provide a natural, landscaped setting. |
| PO 1.3 Shops including restaurants are of a scale that is subordinate to the principal open space and recreation use of the land. DTS/DPF 1.3 Shop gross leasable floor area does not exceed 50m2. |
| PO 1.4 Offices are of a scale that is subordinate to the principal open space use of the land. DTS/DPF 1.4 Office gross leasable floor area does not exceed 80m2. |
| Restricted Development |
| None |
| Replacing NPSP Zones: |
| Linear Park (River Torrens) |
| NPSP Zone Objectives |
| Objective 1: A zone in which the character, aesthetic appearance, scenic beauty and amenity of the River Torrens and its environs are preserved and enhanced in order to: (a) provide recreation areas, particularly passive recreation area; (b) provide a buffer area between metropolitan districts; (c) provide for native flora and fauna habitats; (d) protect areas of scientific, archaeological or cultural significance; (e) provide areas for study and interpretation of natural and human heritage; and (f) provide suitable areas to facilitate the expansion of ancillary uses to the existing busway. |
| Objective 2: The maintenance of the capacity and hydraulic characteristics of the river channel in a manner consistent with flood mitigation control measures in order to avoid flooding outside the channel. |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Open Space

ATTACHMENT A

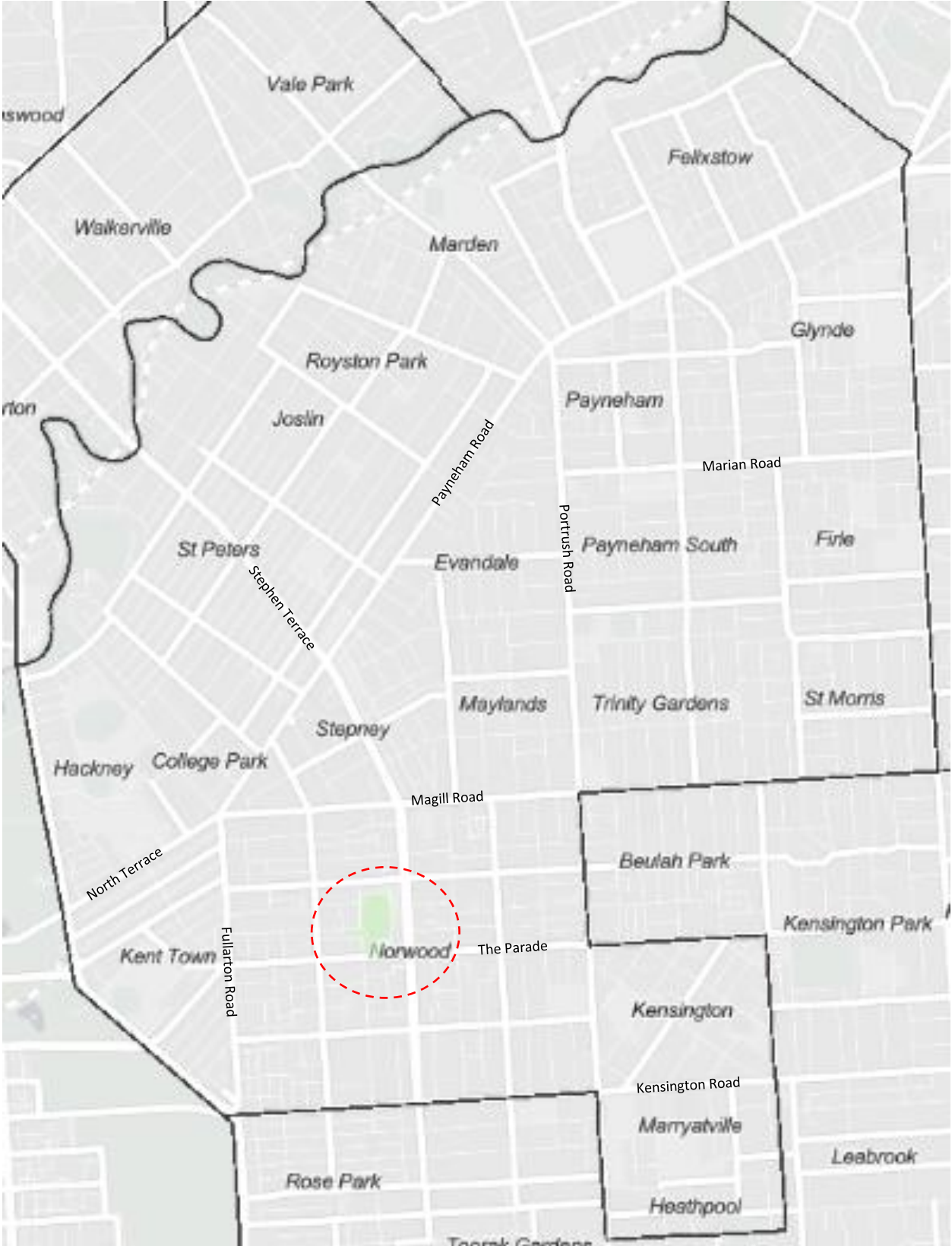
| Changes and Recommendations - Open Space Zone - - Some key issues (not an exhaustive list) | |
|---|--|
| Objectives / Desired Outcome | - The general intent of the objectives/ desired outcome for both Linear Park (River Torrens) and Open Space Zone are similar, however the Linear Park Zone is much more specifically applied to the Linear Park whereas the Open Space Zone is applied more generally across the State to areas of open space |
| Anticipated Land Uses | - Linear Park (River Torrens) does not specify a list of anticipated land uses, other than Recreation Area which is a complying form of development - Open Space Zone specifically anticipates Recreation Areas and associated land uses, but also contains policies which anticipate shops up to 50m2 and offices up to 80m2 which are “subordinate to the principal open space and recreation use of the land”. By comparison, shops and offices are non-complying in the Linear Park Zone. |
| Non-Complying / Restricted | - Linear Park (River Torrens) is the most ‘pristine’ zone in NPSP and has an exhaustive list of non-complying land uses. By comparison the Open Space Zone has <i>no</i> restricted land uses. It is noted that the Open Space Zone is applied more broadly throughout the State outside of NPSP, however the intent of the zone should be to retain and preserve open spaces. For this zone to contain <i>no</i> restricted land uses is illogical, especially considering other commercial zones contain a broader list of restricted uses |
| Comments | The intent of the zone is supported, but a review of anticipated and restricted land uses is required. |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <ul style="list-style-type: none"> - Incorporate several restricted land uses which would not support or not be in conjunction with areas of open space and recreation - Provide stronger parameters around when shops and offices are appropriate - shops should be ancillary to recreation and/or sporting facilities (e.g. kiosk in the park or canteen at an oval), and offices should be for the purposes of administration of sporting and recreation clubs | |

| Zone Policy | Comment | Recommendation |
|---|---|--|
| PO 1.3 Shops including restaurants are of a scale that is subordinate to the principal open space and recreation use of the land. DTS/DPF 1.3 Shop gross leasable floor area does not exceed 50m2. PO 1.4 Offices are of a scale that is subordinate to the principal open space use of the land. DTS/DPF 1.4 Office gross leasable floor area does not exceed 80m2. | Shops and offices within the Open Space zone should only be ancillary to recreation areas, sporting clubs at the like – e.g. kiosk or club admin building | Include further clarification in 1.3 & 1.4 regarding when shops and office are appropriate |
| PO 2.1 Development sited unobtrusively so as not to spoil the open space character or interrupt views of natural or landscape features. | There are insufficient design guidelines for shop and office buildings | Incorporate additional policies guiding building height and design. |


DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Recreation

| Recreation - Description in the <i>Guide to the P&D Code</i> |
|---|
| <i>Not included in Guide?</i> |
| Recreation - Desired Outcome |
| Provision of a range of accessible recreational facilities. |
| Recreation - Anticipated Land Uses |
| PO 1.1 Development is associated with or ancillary to the provision of structured, unstructured, active and / or passive recreational facilities. DTS/DPF 1.1 Development comprises one or more of the following land uses: • Change rooms • Golf course • Indoor recreation facility • Open space • Outdoor sports courts • Recreation area • Sporting clubrooms • Sporting ovals and fields PO 1.2 Shops including restaurants are of a scale that is subordinate to the principal recreational use of land. DTS/DPF 1.2 Shop gross leasable floor area does not exceed 80m2. PO 1.3 Offices are of a scale that is subordinate to the principal recreational use of land. DTS/DPF 1.3 Office gross leasable floor area does not exceed 80m2. |
| Restricted Development |
| None |
| Replacing NPSP Zones: |
| Recreation Zone |
| NPSP Recreation Zone Objectives |
| Objective 1: Development providing regional recreational, entertainment and leisure uses associated with Norwood Oval. |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Recreation

| Changes and Recommendations - Recreation - - Some key issues (not an exhaustive list) | |
|---|--|
| Objectives /Desired Outcome | - NPSP Recreation Zone is specific to Norwood Oval, however more broadly speaking the intent of the zones is similar |
| Anticipated Land Uses | - Code Recreation Zone has a broader list of anticipated land uses compared to NPSP Recreation Zone, however the land uses are commensurate with recreational uses, so are considered appropriate - Shops & Offices are not listed in DPF 1.1 but PO 1.2 & 1.3 indicate these are acceptable land uses. In the NPSP Recreation Zone, shops and offices are non-complying except on The Parade frontage |
| Non-Complying / Restricted | - The NPSP Recreation Zone contains a broad range of non-complying land uses compared to no restricted land uses in the Code. It is illogical for a zone specifically accommodating recreation uses to have fewer restricted land uses than broader commercial or mixed use zones. |
| Comments | <p>The NPSP Recreation Zone includes a number of dwellings in Florence /Beyer Streets in Norwood on land previously held by the Norwood Football Club (highlighted in yellow). The Code Recreation Zone as drafted does not provide any policies applicable to these residential developments. Consideration will need to be given to the rezoning of these dwellings.</p>  |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <ul style="list-style-type: none">- Residential properties in Florence/Beyer Streets should be rezoned to General Neighbourhood or Housing Diversity Neighbourhood Zone. This needs to be discussed through a collaborative process with NPSP- Review and increase restricted land uses- Provide stronger parameters around when shops and offices are appropriate – particularly that shops are either ancillary to recreation and/or sporting facilities (e.g. kiosk in the park or canteen at an oval), and that offices are for the purposes of administration of sporting and recreation clubs | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Recreation

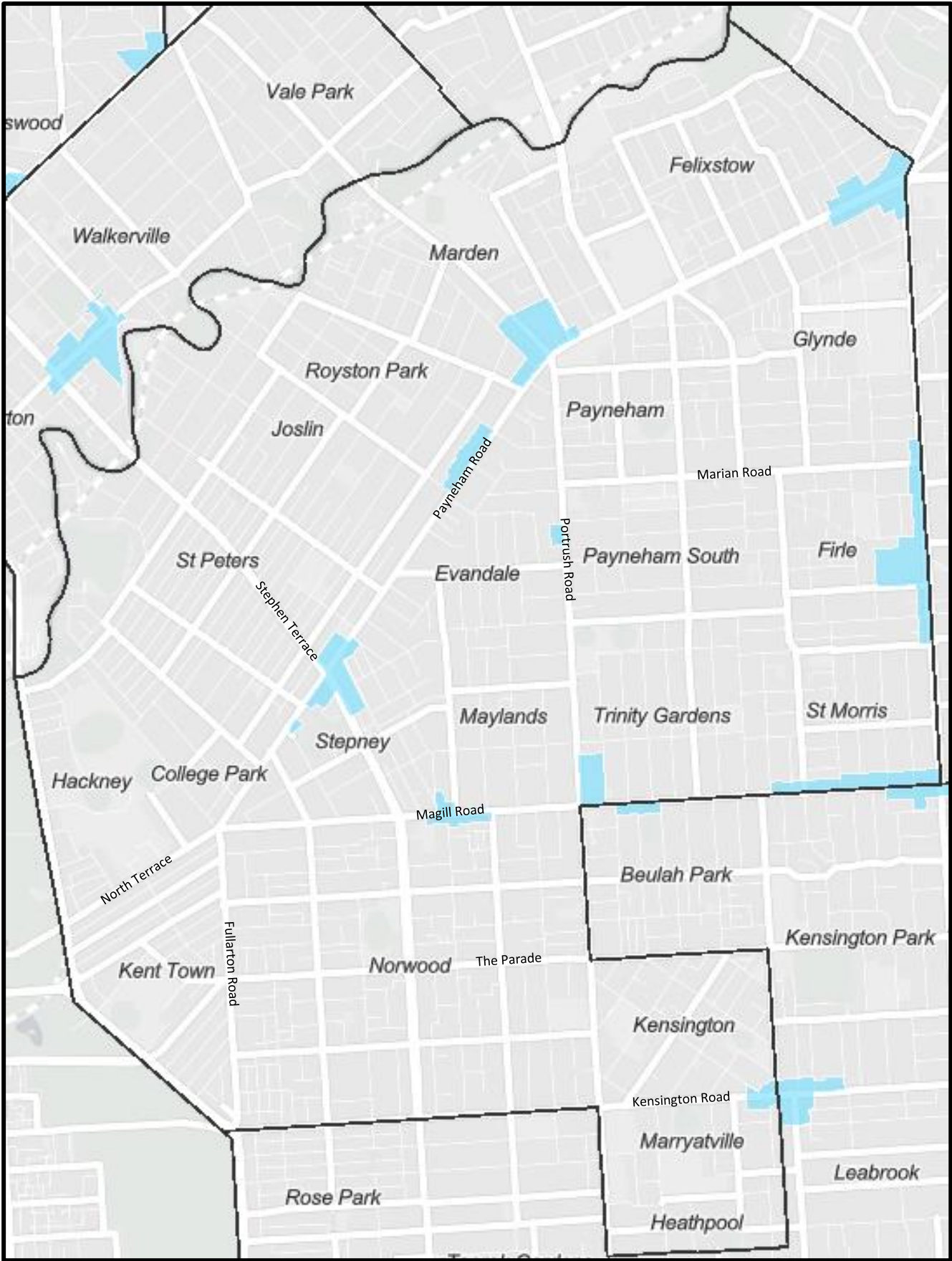
| Zone Policy | Comment | Recommendation |
|--|--|--|
| PO 1.1 Development is associated with or ancillary to the provision of structured, unstructured, active and / or passive recreational facilities. DTS/DPF 1.1 Development comprises one or more of the following land uses: <ul style="list-style-type: none">• Change rooms• Golf course• Indoor recreation facility• Open space• Outdoor sports courts• Recreation area• Sporting clubrooms• Sporting ovals and fields | <p>If shops and offices are anticipated by PO 1.2 and 1.3 should these be included in PO 1.1?</p> <p>None of the envisaged land uses are in Classification Tables 2 or 3.</p> | <p>Consider including shops and offices in anticipated land uses (outlining parameters if possible)</p> <p>Include envisaged land uses in Table 3 (and Table 2 if appropriate)</p> |
| PO 2.1 Buildings designed and sited to manage visual impacts. DTS/DPF 2.1 Buildings are set back: (a) 50m or greater from a primary street frontage; and (b) 50m from the boundary of an allotment containing, or zoned to primarily accommodate, a sensitive receiver in other ownership. | <p>Further built form policy guidance is required. The Recreation Zone will apply to a range of areas and sites of varying scales. The Recreation Zone in Norwood specifically applies to Norwood Oval which is a district level stadium and is likely to be much larger than other local ovals or recreation centres. NPSP Recreation Zone PDC 6 anticipates building height up to 3 storeys which is likely to be inappropriate for other areas.</p> | <p>Include additional policies to assist in guiding built form outcomes.</p> <p>Recommend including a subzone for Norwood Oval to reflect current Development Plan policy.</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Suburban Activity Centre

ATTACHMENT A

| Suburban Activity Centre - Description in the <i>Guide to the P&D Code</i> |
|--|
| <p>This zone accommodates small to medium- sized activity centres servicing a local or neighbourhood area. Development will primarily comprise shops, offices and consulting rooms. Residential development will be appropriate only in conjunction with non-residential development. Building heights up to 4 storeys may be appropriate subject to appropriate interface with adjoining zones.</p> <p>Where it might apply: Existing Neighbourhood and Local Centres, including shopping centres and shopping strips.</p> |
| Suburban Activity Centre - Desired Outcome |
| <p>An active retail precinct that includes neighbourhood scale shopping, business, entertainment and recreation facilities. It is a focus for business and community life and provides for most daily and weekly shopping needs of the community. The precinct includes buildings that are well integrated with pedestrian and cycle networks as well as public transport, and sit within a high quality and well activated public realm.</p> |
| Suburban Activity Centre - Anticipated Land Uses |
| <p>PO 1.1</p> <p>Shops, office, entertainment, health and recreation related uses supplemented by other businesses that provide a range of goods and services to the surrounding neighbourhood and district.</p> <p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following land uses:</p> <p>Cinema Community facility Consulting room Educational establishment Emergency services facility Health facility Hospital Hotel Indoor recreation facility Library Office Place of worship Pre-school Public transport terminal Recreation area Restaurant Retail fuel outlet Service trade premises Shop Tourist accommodation.</p> <p>PO 1.2</p> <p>Residential development does not prejudice the operation of existing non-residential development and the long term provision of services and facilities for wider community benefit.</p> <p>DTS 1.2</p> <p>None are applicable.</p> <p>PO 1.3</p> <p>Dwellings developed only in conjunction with non-residential uses to support business, entertainment and recreational activities</p> <p>DTS 1.3</p> <p>Dwellings are developed only in conjunction with non-residential uses and sited:</p> <p>(a) at upper levels of buildings with non-residential uses located at ground level; or</p> <p>(b) behind non-residential uses on the same allotment.</p> <p>PO 1.4</p> <p>Where residential development is appropriate having regarding to other performance outcomes of the zone, residential development achieves medium-to-high densities.</p> <p>PO 1.4</p> <p>Residential development achieves a minimum net density of 35 dwelling units per hectare.</p> <p>PO 1.5</p> <p>Bulky goods outlets are sited and designed to achieve or maintain a vibrant and interesting streetscape within retail areas.</p> <p>DTS/DPF 1.5</p> <p>Bulky goods outlets with a gross leaseable area of 500m2 or more are located towards the periphery of the zone.</p> |
| Restricted Development |
| <p>Industry (except Light Industry)</p> |
| Replacing NPSP Zones: |
| <p>District Centre (St Peters)</p> <p>District Commercial</p> <p>District Shopping</p> <p>Neighbourhood Centre - <i>Policy Areas: Marryatville, Magill Road</i></p> <p>Local Shopping</p> |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Suburban Activity Centre

ATTACHMENT A

| NPSP Zone Objectives | |
|---|--|
| <u>District Centre (St Peters)</u> | <p>Objective 1: A zone primarily accommodating a range of shopping, administrative, cultural, community, office, commercial, entertainment, educational, religious and recreational facilities.</p> <p>Objective 2: Provision for the cultural and civic focus of the area in the south western part of the zone.</p> <p>Objective 3: Provision for the weekly shopping needs of the population of the council area in the central and eastern parts of the zone.</p> |
| <u>District Commercial</u> | <p>Objective 1: A zone accommodating major servicing, wholesaling, storage and associated activities</p> |
| <u>District Shopping</u> | <p>Objective 1: A zone primarily accommodating a range of shops serving the needs of a wider area than that of a Local Shopping Zone.</p> |
| <u>Neighbourhood Centre</u> | <p>Objective 1: Development primarily consisting of small-scale specialty and convenience shops, restaurants, consulting rooms and offices.</p> |
| <u>Local Shopping</u> | <p>Objective 1: A zone primarily accommodating small groups of shops which cater for the day-to-day needs of nearby residents.</p> |

| Changes and Recommendations - Suburban Activity Centre - Some key issues (not an exhaustive list) | |
|---|--|
| Objectives / Desired Outcome | <p>Zone Hierarchy</p> <ul style="list-style-type: none"> - The description of the SAC Zone in the <i>Guide to the Code</i> refers to the zone as servicing a “<i>local or neighbourhood</i>” area, whereas the Desired Outcome refers to “<i>neighbourhood scale</i>”. - The NPSP Zones where the SAC Zone has been applied include: 3 District level zones, 1 Neighbourhood Zone and 1 Local Zone. <p>District Commercial</p> <ul style="list-style-type: none"> - The District Commercial Zone Objective and policy is very different to the objectives of the SAC Zone |
| Anticipated Land Uses | <ul style="list-style-type: none"> - The scale and diversity of land uses anticipated in the SAC Zone is broader than the NPSP Zones individually - The District Commercial Zone anticipates larger commercial uses (e.g. servicing, industrial, wholesaling etc) rather than retail - Retail fuel outlet is an anticipated land use in the SAC Zone but is non-complying in the Neighbourhood Centre <p>- SAC DPF 1.5 seeks: <i>Bulky goods outlets with a gross leasable area of 500m2 or more are located towards the periphery of the zone</i> which is not consistent with any existing NPSP policies</p> |
| Non-Complying / Restricted | <p>There is a significant reduction in the number of non-complying land uses in the NPSP Zones compared to the SAC Zone</p> <p>Light Industry</p> <ul style="list-style-type: none"> - Light industry is currently non-complying in most of the applicable NPSP Zones but is excluded from being restricted in the SAC Zone. Consideration should be given as to whether light industry should be restricted <p>Residential</p> <ul style="list-style-type: none"> - Certain dwelling types are listed as non-complying within the District Centre (St Peters), District Commercial, District Shopping & Local Shopping Zone. The SAC Zone anticipates medium-high density residential development in some circumstances – e.g. above or behind non-res development which is typical of ‘shop-top’ dwellings which are not uncommon in these zones |
| Comments | <p>There is a need for a greater variety of non-residential/commercial zones to better reflect the existing zone hierarchy. It is not considered appropriate to have the Local Shopping Zone and District Shopping/Centre Zones in the same zone.</p> <p>The SAC Zone is not a suitable replacement for the District Commercial Zone</p> |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <ul style="list-style-type: none"> - The consolidation of the zone hierarchy, particularly retail/centre zones is not supported. The zone framework and associated policies should be scaled to reflect the appropriate size / capacity of the zone and surrounding areas. Retail/ commercial zones in the Code should be reviewed to better reflect the Zone hierarchy reflected in most Development Plans - District Commercial Zone would be more appropriately zoned as Suburban Employment - Local Shopping Zone would be more appropriately zoned as Suburban Main Street - Consideration should be given to whether Light Industry should be exempt from restricted development - Given there could be sensitive zones such as residential zones abutting a suburban activity centre, it is not considered appropriate to locate large bulky goods retailers at the edge of the zone as per SAC DPF 1.5 | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Activity Centre

ATTACHMENT A

| Zone Policy | Comment | Recommendation |
|---|--|---|
| <p>DO 1 An active retail precinct that includes <u>neighbourhood</u> scale shopping, business, entertainment and recreation facilities. It is a focus for business and community life and provides for most daily and weekly shopping needs of the community. The precinct includes buildings that are well integrated with pedestrian and cycle networks as well as public transport, and sit within a high quality and well activated public realm.</p> <p>PO 1.1 Shops, office, entertainment, health and recreation related uses supplemented by other businesses that provide a range of goods and services to the surrounding <u>neighbourhood and district</u>.</p> <p>DTS/DPF 1.1 Development comprises one or more of the following land uses: Cinema Community facility Consulting room Educational establishment Emergency services facility Health facility Hospital Hotel Indoor recreation facility Library Office Place of worship Pre-school Public transport terminal Recreation area Restaurant Retail fuel outlet Service trade premises Shop Tourist accommodation.</p> | <p>DO1 refers to neighbourhood scale whereas PO 1.1 refers to neighbourhood and district – these policies should be consistent</p> <p>PO 1.2 refers to residential development – should residential development be included in DPF 1.1?</p> <p>The land uses highlighted in green are not included in the Performance Assessed classification table. If they are an envisaged land use, they should be in the performance assessed table.</p> | <p>Amend DO1 and PO 1.1 so the policies are consistent.</p> <p>Include all envisaged land uses in Table 3.</p> |
| <p>PO 1.5 Bulky goods outlets are sited and designed to achieve or maintain a vibrant and interesting streetscape within retail areas.</p> <p>DTS/DPF 1.5 Bulky goods outlets with a gross leaseable area of 500m2 or more are located towards the periphery of the zone.</p> | <p>There is a disconnect between the PO and the DPF – how does the DPF achieve a ‘vibrant and interesting streetscape’?</p> <p>Large bulky goods can have substantial impacts in terms of visual appearance (large buildings often lacking articulation) and level of activity/traffic. It is possible that the SAC Zone will be adjacent to a sensitive zone or receivers – such as a residential zone – and a large format retailer is unlikely to be appropriate in these locations</p> | <p>Review PO 1.5 & DPF 1.5 with respect to relationship between the policies</p> <p>Reconsider this policy – recommend these uses be located within the zone</p> |
| <p>PO 3.1 A range of low to medium rise buildings, with the highest intensity of built form at the centre of the zone and lower scale at the peripheral zone interface.</p> <p>DTS/DPF 3.1 Building height is not greater than any maximum, or less than any minimum, specified in the <i>Maximum Building Height Levels Technical and Numeric Variation Overlay</i>, the <i>Maximum Building Height Metres Technical and Numeric Variation Overlay</i>, or the <i>Minimum Building Height Levels Technical and Numeric Variation Overlay</i>.</p> | <p>TNV is missing</p> | <p>NPSP Policy re: building height –</p> <p><i>Neighbourhood Centre PDC 9</i> <i>Development in the Neighbourhood Centre Zone should not exceed two storeys in height above mean natural ground level.</i></p> <p>NPSP Local Shopping Zone, District Centre (St Peters) & District Shopping don’t have a specified height policy, however we refer to the following policies: CW PDC 29 <i>Except where the zone or policy area objectives, principles of development control and/or desired character of a locality provide otherwise, new buildings:</i> <i>(a) may be of a contemporary appearance and exhibit an innovative style;</i></p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Activity Centre

ATTACHMENT A

| | | |
|--|--|---|
| | | <p>(b) should complement the urban context of existing buildings on adjoining and nearby land in terms of:</p> <ul style="list-style-type: none">(i) maintenance of existing vertical and horizontal building alignments(ii) architectural style, building shape and the use of common architectural elements and features;(iii) consistent colours, materials and finishes; and <p>(c) should not visually dominate the surrounding locality.</p> <p>CW PDC 30 Buildings should be designed to minimise their visual bulk and provide visual interest through design elements such as:</p> <ul style="list-style-type: none">(a) articulation;(b) colour and detailing;(c) materials, patterns, textures and decorative elements;(d) vertical and horizontal components;(e) design and placement of windows;(f) window and door proportions;(g) roof form and pitch;(h) verandahs and eaves; and(i) variations to facades. <p>Note that the TNV in the current District Commercial Zone is also missing, but it is recommended that the District Commercial Zone be rezoned to Suburban Employment</p> |
| <p>PO 3.2 Buildings mitigate visual impacts of building massing on residential development within a neighbourhood zone. DTS/DPF 3.2 Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3 metres above natural ground level at the allotment boundary of a residential allotment within a neighbourhood zone as shown in the following diagram (except where this boundary is a southern boundary in which case DTS/DPF 3.3 will apply, or where this boundary is the primary street boundary): PO 3.3 Buildings mitigate overshadowing of residential development within a neighbourhood zone. DTS / DPF 3.3 Buildings on sites with a southern boundary adjoining a residential allotment within a neighbourhood 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>Disagree with the 45deg building envelope</p> | <p>If the building envelope policy remains, it should be 30deg rather than 45deg</p> <p>In addition to maximum building height, include policies such as:</p> <p>Design and Appearance of Land and Buildings CW PDC 30 Buildings should be designed to minimise their visual bulk and provide visual interest through design elements such as:</p> <ul style="list-style-type: none">(a) articulation;(b) colour and detailing;(c) materials, patterns, textures and decorative elements;(d) vertical and horizontal components;(e) design and placement of windows;(f) window and door proportions;(g) roof form and pitch;(h) verandahs and eaves; and(i) variations to facades. <p>Residential Development CW PDC 193 Dwellings should be designed and sited to minimise the impact of the building’s bulk when viewed from the private open space of adjacent sites by:</p> <ul style="list-style-type: none">(a) increasing setbacks on upper levels of buildings in order to achieve greater separation from neighbouring private open space; and(b) using articulation, colour, materials and detailing. <p>CW PDC 206 Unless otherwise specified in the relevant Zone and/or Policy Area, the set-back of dwellings from their side and rear boundaries should be progressively increased as the height of the building increases:</p> <ul style="list-style-type: none">(a) to minimise the visual impact of the building from adjoining properties;(b) to minimise the overshadowing of adjoining properties;(c) to ensure adequate natural light and winter sunlight is available to the main activity areas and private open space of adjacent dwellings. |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

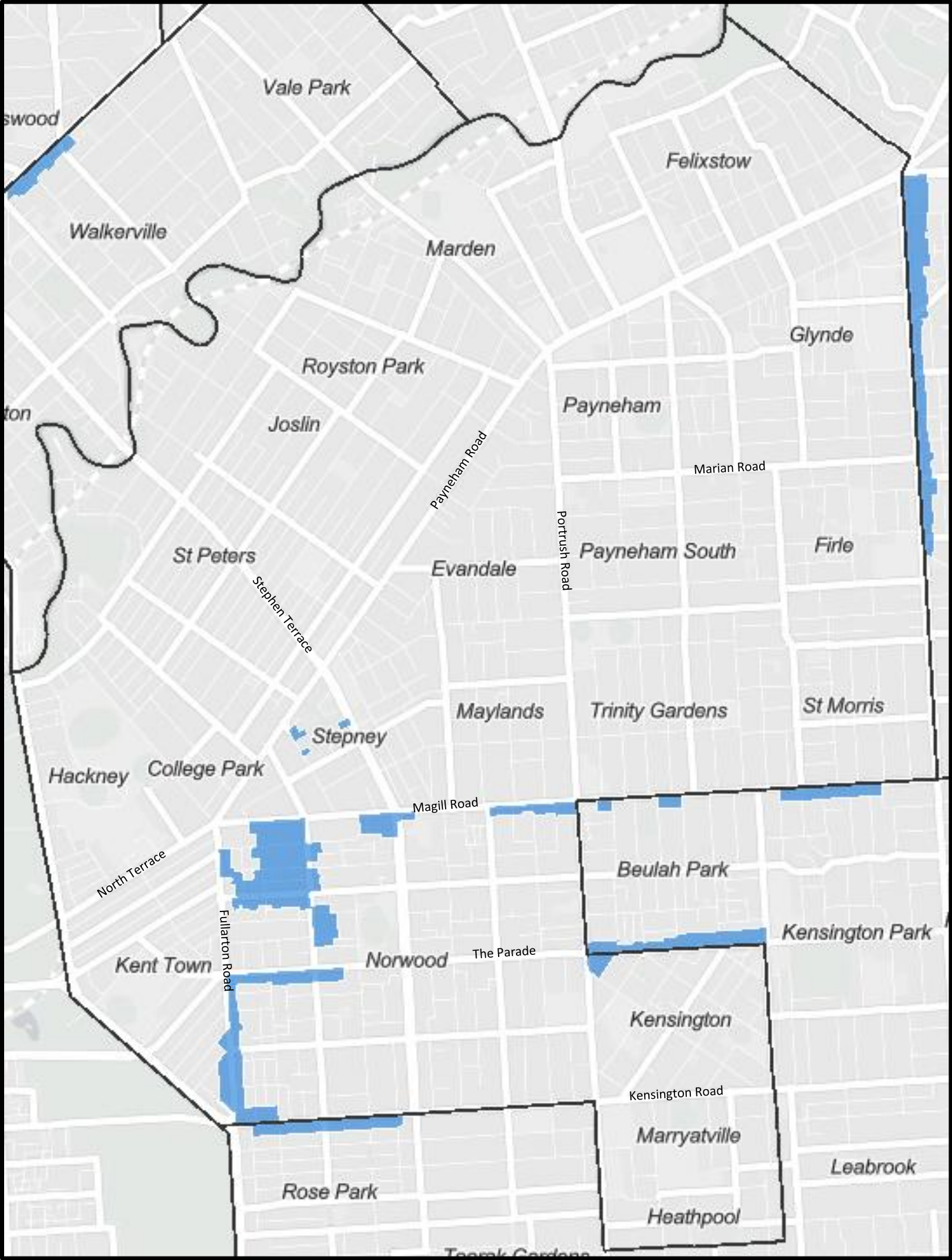
Suburban Activity Centre

| | | |
|--|---|---|
| <div>PO 1.4</div> <div>Where residential development is appropriate having regard to other performance outcomes of the zone, residential development achieves medium-to-high densities.</div> <div>PO 1.4</div> <div>Residential development achieves a minimum net density of 35 dwelling units per hectare.</div> | <div>Although residential development in the SAC is very unlikely to be ‘standard’ residential subdivisions (e.g. 1 allotment into 2 Torrens Titles), residential development is likely to be mixed use which could make calculating using minimum net density difficult.</div> | <div>Correct second PO1.4 to DTS 1.4</div> <div>Alter the residential density policy to refer to minimum floor areas or above site areas per dwelling, clarifying how the site areas should be calculated depending on the development type.</div> <div>NPSP Neighbourhood Centre PDC 10</div> <div><i>The average site area per dwelling unit for residential development in the Neighbourhood Centre Zone should not be less than 120 square metres.</i></div> |
|--|---|---|

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Business & Innovation

ATTACHMENT A

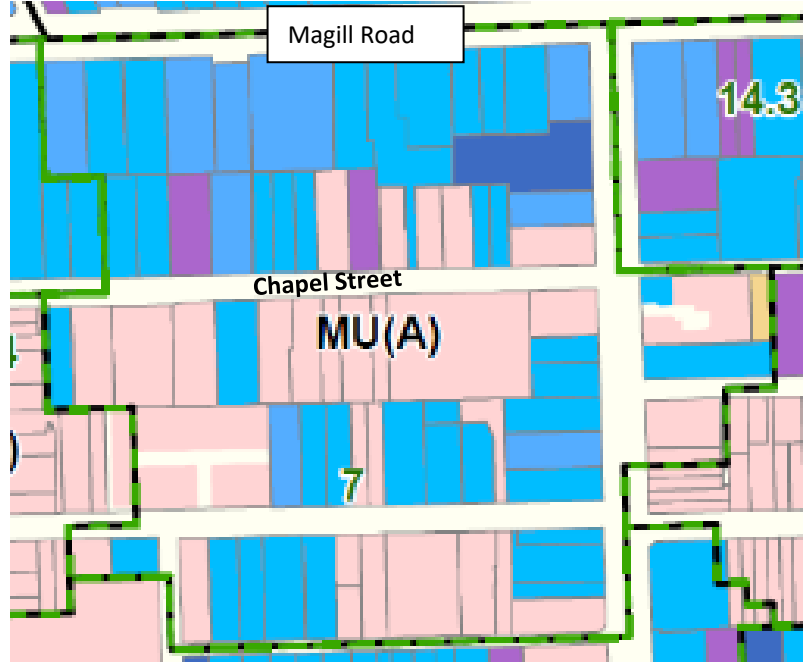
| Suburban Business & Innovation - Description in the <i>Guide to the P&D Code</i> |
|---|
| This zone provides for a range of commercial, light industrial, shop and residential land uses. Development will be designed and sited to minimise impacts on adjoining land uses. |
| Suburban Business & Innovation - Desired Outcome |
| A business and innovation precinct that includes a range of emerging businesses that have low level off-site impacts. Residential development within the area is subordinate to employment uses and generally include medium density residential that is designed to complement, and not prejudice the operation of existing businesses. |
| Suburban Business & Innovation - Anticipated Land Uses |
| <p>PO 1.1 Shops, office, consulting room, low-impact industry and other non-residential uses supported by a variety of compact, medium density housing and accommodation types.</p> <p>DTS/DPF 1.1 Development comprises one or more of the following land uses: Consulting room Dwelling Institutional facility Light industry Motor repair station Office Service trade premises Shop Store Warehouse</p> <p>PO 1.2 Retail, business and commercial development of a scale that provides a local convenience service without undermining the vibrancy and function of zones primarily intended to accommodate such development.</p> <p>DTS/DPF 1.2 The gross leasable floor area of a shop, office, or consulting room does not exceed 500m2.</p> <p>PO 1.3 Compact, medium density residential development does not prejudice the operation of existing non-residential activity within the zone.</p> <p>DTS 1.3 None are applicable.</p> |
| Restricted Development |
| Shop (Other than Restaurant and Shop with a gross leasable floor area < 1000m2) |
| Replacing NPSP Zones: |
| Business - <i>Policy Areas: Beulah Road, Kensington, Magill Road East, Magill Road West, West Norwood</i> Mixed Use A |
| NPSP Zone Objectives |
| <p>Business Objective 1: Development providing a range of business and related activities, including offices, consulting rooms and retail showrooms.</p> <p>Objective 2: Development providing warehouses, light and service industry and service trade premises in locations specified hereunder.</p> <p>Objective 3: Residential development located above compatible ground level non-residential development in identified locations along arterial road frontages, with some opportunity for wholly residential development in identified locations.</p> <p><i>Kensington: High quality offices, consulting rooms and retail showrooms</i></p> <p><i>Magill Rd East: Offices, consulting rooms, retail showrooms etc (consolidation of existing service industries)</i></p> <p><i>West Norwood: High quality offices, consulting rooms, residential above non-residential land uses, quality landscaping</i></p> <p><i>Beulah Rd: Consolidation of existing office, warehouse & showrooms</i></p> <p><i>Magill Rd West: offices, warehouses, residential about non-res, res buildings behind Magill Rd</i></p> |
| <p>Mixed Use A Objective 1: Development providing a range of uses including small-scale offices, warehouses and retail showrooms and residential use.</p> |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Suburban Business & Innovation

ATTACHMENT A

| Changes and Recommendations - Suburban Business & Innovation - Some key issues (not an exhaustive list) | |
|--|---|
| Objectives / Desired Outcome | <ul style="list-style-type: none"> - The intent of the objectives/ desired outcome are similar but the NPSP Business Zone Objectives are more specific (& are reflective of the different, nuanced policy areas) - The terms 'innovation precinct' and 'emerging businesses' are unclear – what types of businesses fall into the category of 'innovation'? The zone can't expect only new 'emerging' businesses; this would be a small minority of businesses in any given area, often no change of use would be required to go from an 'emerging' business to an established business, and a planner should not be preventing a business occupying a tenancy purely on the basis that they are an established business. |
| Anticipated Land Uses | <p>While the mix of land uses anticipated in the Business Zone are generally mirrored in the SBI Zone, the SBI Zone does not reflect the locally specific and tailored policies which are specific to the Business Zone Policy Areas i.e. introducing the SBI Zone across the area currently zoned Business Zone will lose the local specificity of the Business Zone Policy Areas</p> <p>Shop/ Retail Showroom</p> <ul style="list-style-type: none"> - Both the Business Zone and Mixed Use A anticipate retail showrooms whereas the SBI Zone anticipates 'shop' more generally - the SBI Zone anticipates shops up to 500m2 - The Business Zone lists shops greater than 250m2 as non-complying - The Mixed Use A Zone lists shops with a floor area greater than 250m2 as non-complying, other than retail showrooms with a frontage to Magill Rd <p>Office/Consulting Rooms</p> <ul style="list-style-type: none"> - The Business zone anticipates offices or consulting rooms up to 250m2, other than the West Norwood Policy Area where it is up to 500m2 and this is reflected in the non-complying land uses - The Mixed Use A Zones lists offices greater than 250m2 as non-complying <p>Motor Repair Station</p> <ul style="list-style-type: none"> - The SBI Zone anticipates motor repair stations which are more obtrusive than the land uses currently anticipated in the Business and Mixed Use A Zone. <p>Residential</p> <ul style="list-style-type: none"> - The SBI Zone places greater weight on commercial land uses compared to residential land uses however the Mixed Use A Zone south of Chapel Street, Norwood is heavily residential. The SBI Zone is therefore not considered the most appropriate for this area as outlined below un <i>Comments</i> |
| Non-Complying / Restricted | <p>There are significantly more non-complying land uses in the NPSP Zones than the SBI Zone</p> <p>As above, non-complying triggers for shops in the NPSP Zones are typically 250m2 (other than retail showrooms on Magill Road). The restricted threshold for shop floor areas is now 1000m2 – 4 times the current non-complying trigger.</p> |
| Comments | <p>The scale and range of land uses anticipated is much broader in the SBI Zone than NPSP Zones and the nuanced policy will be lost.</p> <p>Norwood – Mixed Use A Zone south of Chapel Street</p>  <p>Magill Road</p> <p>Chapel Street</p> <p>MU(A)</p> <p>14.3</p> <p>7</p> <p>Development Plan</p> <p>Zoning</p> <p>Policy Area</p> <p>Local government boundary</p> <p>Cadastre</p> <p>Residential</p> <p>Non private residential</p> <p>Vacant urban land</p> <p>Commercial</p> <p>Retail commercial</p> <p>Utilities / Industry</p> <p>Food industry</p> <p>Public institution</p> <p>Education</p> <p>Recreation / Reserves</p> <p>Vacant</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Business & Innovation

| | |
|--|--|
| | The Mixed Use A Zone south of Chapel Street is heavily residential land use so the SBI Zone is not considered to be the most appropriate zone applicable to this area. It is considered that Business Neighbourhood anticipates both business and residential land uses, but with a slightly greater focus on residential compared to SBI Zone. Therefore the Business Neighbourhood Zone would be more appropriate for the area south of Chapel Street. |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <ul style="list-style-type: none">- Rezone the area south of Chapel Street to Business Neighbourhood- Create subzones to reflect the different land use mixes in each policy area of the NPSP Business Zone- Reduce anticipated shop floor area from 500m2 to 250m2 or create a subzone within the SBI Zone where the focus is primarily on office, consulting room, and retail showrooms rather than general retail- Remove motor repair station from the list of anticipated land uses- Clarify or remove the terms 'innovation' and 'emerging' | |

| Zone Policy | Comment | Recommendation |
|--|--|--|
| PO 1.1 Shops, office, consulting room, low-impact industry and other non-residential uses supported by a variety of compact, medium density housing and accommodation types. DTS/DPF 1.1 Development comprises one or more of the following land uses: Consulting room Dwelling Institutional facility Light industry Motor repair station Office Service trade premises Shop Store Warehouse | What is defined as 'low-impact' industry? – Light industry is defined as industry which does not 'detrimentally affect the amenity of the locality'. A motor repair station is listed as an envisaged use but this often has off-site impacts which would not be considered 'low-impact' Dwelling is an anticipated land use. PO 1.3 is the only policy relating to residential development and this policy doesn't provide much guidance other than it should be 'medium density' development. Table 3 lists a range of dwelling types as performance assessed developments but doesn't include an undefined dwelling which is likely to be a more common proposal as part of mixed use developments | Review wording of 'low-impact' industry. Remove motor repair station from anticipated land uses. Provide greater policy guidance regarding where and in what form residential development is appropriate. Include an undefined 'Dwelling' in Table 3. |
| PO 2.2 Presentation development which with high visual and environmental amenity, particularly along arterial roads and the boundaries of adjoining zones primarily intended to accommodate sensitive receivers. | Policy requires rewording | Reword to: <i>Presentation of development which contributes to high visual and environmental amenity...</i> |
| PO 3.1 A range of low-rise to medium-rise buildings, with the highest intensity of built form at the centre of the zone, and lower scale at the peripheral zone interface. DTS/DPF 3.1 Building height does not exceed: (a) 2 building levels or 9 metres where the development is located adjoining a different zone that primarily envisages residential development; or (b) 3 building levels or 12 metres in all other cases. | Building height is different to NPSP policy. Refer to table below illustrating difference in policy | Building height should reflect Development Plan policy |
| PO 3.2 Buildings mitigate visual impacts of building massing on residential development within a neighbourhood zone. DTS/DPF 3.2 Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3 metres above natural ground level at the allotment boundary of a residential allotment within a neighbourhood zone as shown in the following diagram (except where this boundary is a southern boundary in which case DTS/DPF 3.3 will apply, or where this boundary is the primary street boundary): PO | Disagree with 45deg envelope. Building envelope policy does not manage potential setback issues between residential and non-residential all within the zone (i.e. not on a zone boundary) | Include setback policies for sites within the zone as well as on a zone boundary, particularly where a commercial building is adjacent residential or other sensitive uses Should the building envelope remain, angle should be 30deg |
| PO 3.3 Buildings mitigate overshadowing of residential development within a neighbourhood zone. DTS 3.3 | This does not acknowledge potential overshadowing of residential properties within the zone | Consider rewording policy so it applies within the zone where development affects a residential property |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Business & Innovation

ATTACHMENT A

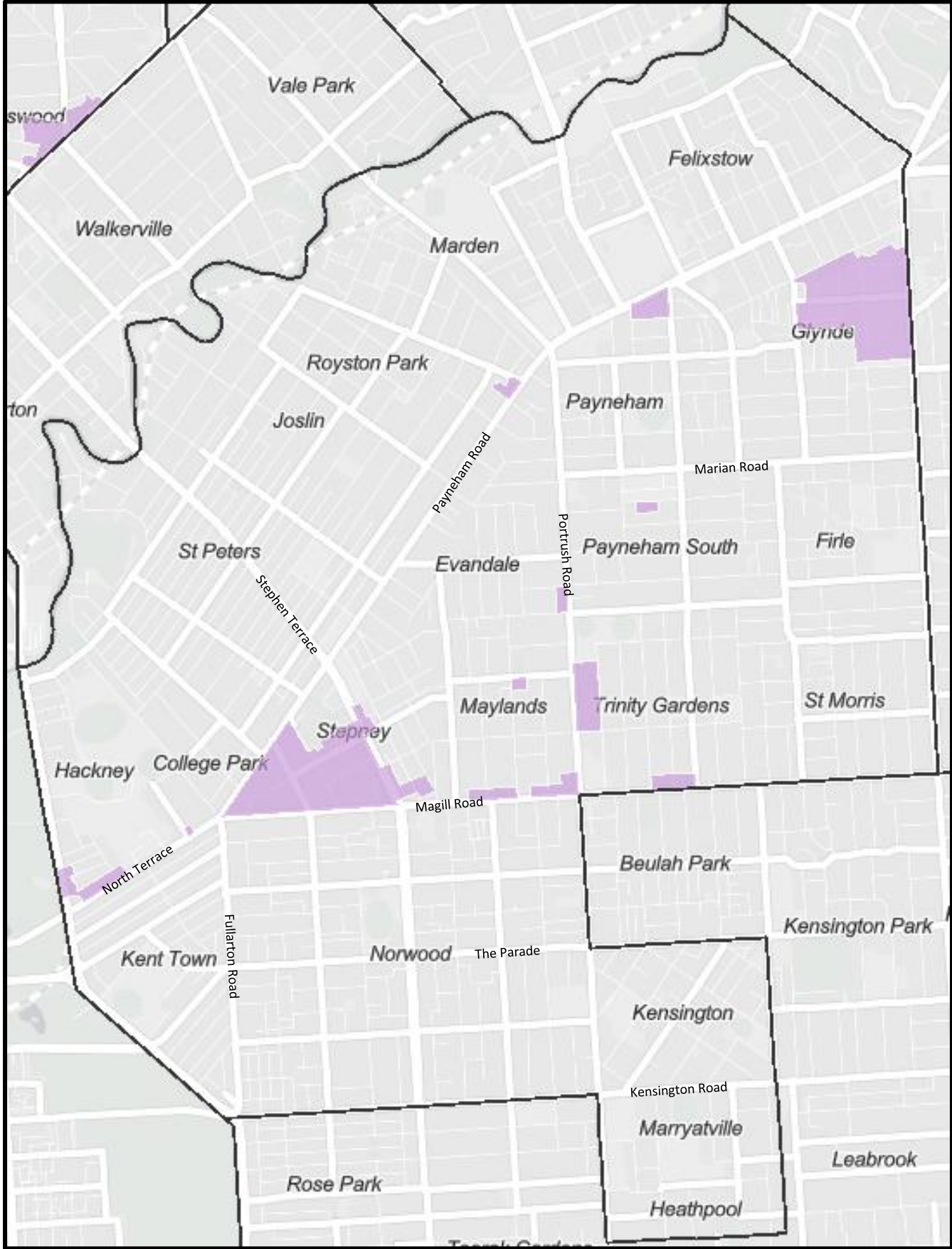
| | | |
|--|--|---|
| Buildings on sites with a southern boundary adjoining a residential allotment within a neighbourhood zone are constructed within a building envelope provided by a 30 degree plane grading north measured from a height of 3m above natural ground level at the southern boundary, as shown in the following diagram: | | |
| PO 3.4 Buildings set back from <u>primary street boundaries</u> to contribute to a consistent streetscape. DTS/DPF 3.4 Buildings set back from the <u>primary street frontage</u> : (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. | Why does the PO refer to <i>primary street boundaries</i> and DPF refers to <i>primary street frontage</i> Part (a) asks for the “average of any existing buildings on either of the adjoining sites having frontage to the same street” 1) The setback should be taken from the building line, not any ancillary structures 2) An average needs to be taken from both adjoining sites, it's not an average if it's from only one or the other. Part (b) could refer to only one adjoining site being vacant, but where only one site is vacant, you should use the setback of the building on the other side. | Review policies so they are consistent DTS/DPF 3.4 Buildings set back from the primary street frontage the lesser of the following: (a) the average of the building lines of any existing buildings on either of the adjoining sites having which have frontage to the same street; or (b) not less than 5m where no buildings exists on an either adjoining sites . |
| PO 3.6 Buildings set back from side boundaries to maintain adequate separation and ventilation. DTS/DPF 3.6 Other than walls located on a side boundary, buildings are set back at least 0.9 metres from side boundaries | The zone doesn't contain a policy for boundary walls. Is the intent to allow development to both side boundaries or should one side remain free of boundary development? 0.9m may be insufficient for a commercial building adjacent to a residential property. | Include policy for boundary walls and appropriate wall heights/setback where the development is adjacent to residential development |
| No policy on landscaping | Suburban Employment PO 5.1 & 5.2 relate to landscaping – a similar policy should be considered for this zone | Include the same or similar policy to Suburban Employment PO 5.1 & 5.2 |

| NPSP Development Plan | P&D Code Suburban Business & Innovation (No TNVs) | Comment |
|--|--|---|
| Building Height | Building Height (Policy – No TNV) | |
| Business Zone (Beulah Rd; Kensington; Magill Rd East; Magill Rd West; West Norwood) Development in the Business Zone should not exceed two storeys in height above mean natural ground level, except where identified in the West Norwood Policy Area and the Magill Road West Policy Area, where development incorporating a residential component above ground level non-residential land use/s, should not exceed three (3) storeys above natural ground level. West Norwood: Building heights should not exceed two (2) storeys, except mixed-use buildings incorporating residential development, located on sites fronting arterial roads, which should not exceed three (3) storeys. Magill Road West Building heights should not exceed two (2) storeys, except mixed-use buildings incorporating residential development, located on sites fronting Magill Road, which should not exceed three (3) storeys. | 2 building levels or 9 m where the development is adjoining a different zone that primarily envisages residential development; or 3 levels or 12 metres in all other cases Building envelope interface policy | The Code policy is 3 storeys unless 2 storeys applies in certain circumstances, whereas the Development Plan policy is 2 storeys unless 3 storeys applies in certain circumstances. Therefore the Code policy is the opposite of the Development Plan policy. |
| Mixed Use A Development in the Mixed Use A Zone should not exceed two storeys in height above mean natural ground level except for residential development with frontage(s) to arterial roads, which should not exceed three storeys in height above mean natural ground level. | | |

Suburban Employment

ATTACHMENT A

| |
|---|
| <p>Suburban Employment - Description in the <i>Guide to the P&D Code</i></p> <p>This zone supports a diverse range of low-impact, light industrial, commercial (including bulky goods) and business activities that complement the role of other zones with significant industrial, shopping and business activities.</p> |
| <p>Suburban Employment - Desired Outcome</p> <p>A zone supporting a diverse range of low impact light industrial, commercial and business activities that complement the role of other zones accommodating significant industrial, shopping and business activities.</p> |
| <p>Suburban Employment - Anticipated Land Uses</p> <p>PO 1.1 A range of employment generating light industrial, service trade, motor repair and other compatible businesses servicing the local community that do not produce objectionable emissions.</p> <p>DTS/DPF 1.1 Development comprises one or more of the following land uses: • Bulky goods outlet • Consulting room • Indoor recreation facility • Light industry • Office • Research facility • Service trade premises • Shop • Store • Training facility • Tourist accommodation • Retail fuel outlet • Place of worship • Motor repair station.</p> <p>PO 1.2 Shops, other than bulky goods outlets, provide a local convenience service to meet the day to day needs of the local community and surrounding businesses as well as support the sale of products made on-site as a supplement to a business activity to enhance local job opportunities.</p> <p>DTS/DPF1.2 Shop: a. with a gross leasable floor area up to 500m2; b. in the form of a bulky goods outlet; or c. ancillary to and located on the same allotment as a light industry.</p> |
| <p>Restricted Development</p> <p>Industry (other than Light Industry) Shop (Other than (a) the gross leasable floor area is no more than 1000m2: or (b) it is a bulky goods outlet; or (c) it is ancillary to a light industry on the same allotment.) Waste reception, storage, treatment or disposal Wrecking Yard</p> |
| <p>Replacing NPSP Zones:</p> <p>Light Industry, Local Commercial</p> |
| <p>NPSP Zone Objectives</p> <p><u>Light Industry</u> Objective 1: A zone primarily accommodating industries which manufacture on a small scale and which do not create any appreciable nuisance or generate heavy traffic.</p> <p><u>Local Commercial</u> Objective 1: A zone primarily accommodating local service activities which are compatible with the amenity of the locality.</p> |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Suburban Employment

ATTACHMENT A

| Changes and Recommendations - Suburban Employment - - Some key issues (not an exhaustive list) | |
|---|---|
| Objectives / Desired Outcome | <ul style="list-style-type: none"> - The wording of the Suburban Employment Desired Outcome is difficult to interpret. Perhaps rephrase to: <i>A zone supporting a diverse range of low impact light industrial, commercial and business activities that are of a lower scale than more significant commercial activities in other zones</i> - The DO intends to portray the types of land uses which may be acceptable but the terms 'commercial' and 'business' are quite general compared to 'light industrial' |
| Anticipated Land Uses | <p>The term 'employment generating uses' used in PO 1.1 is a potentially confusing term as there is a multitude of land uses which generate employment.</p> <p>Retail/Bulky Goods</p> <ul style="list-style-type: none"> - The Light Industry and Local Commercial Zones do not anticipate shops, and any shop greater than 250m2 is non-complying. By contrast, the anticipated land uses in the Suburban Employment Zone include 'shop' and 'bulky goods outlet' (noting that bulky goods is a type of shop) and DPF 1.2 anticipates shops up to 500m2 other than bulky goods which has no floor limit <p>In NPSP and many other inner-metro council areas, industrial/commercial land is limited but serves an important purpose in providing local industrial/commercial/service activities to the local community. For example, the Light Industry Zone is the only zone to specifically anticipate motor repair stations (they are non-complying in most other zones). Typically light industrial or similar uses have difficulty competing for land availability compared to large format retailers such as bulky goods. It is therefore important to reserve some inner-metro land for the purposes of light industrial or similar land uses, without potential intrusion from retailing competitors. A solution may be to allow bulky goods on arterial roads only so that pressure for land availability doesn't apply to typically smaller businesses in minor streets</p> <p>Other new land uses</p> <ul style="list-style-type: none"> - Other land uses anticipated in the Suburban Employment Zone which are not anticipated in the NPSP zones include uses such as consulting room, office, tourist accommodation, and place of worship. The introduction of consulting rooms and offices (which are not ancillary to other land uses) could similarly jeopardise the availability of light industrial land. - It does not seem appropriate for tourist accommodation to be located in this zone. - Place of worship is less of a concern due to the general infrequency of applications for a place of worship |
| Non-Complying / Restricted | <p>The extent of non-complying land uses in the NPSP Zones compared to the Suburban Employment Zone is significant</p> <p>Shop</p> <ul style="list-style-type: none"> - The threshold of for a non-complying shop (250m2) to a restricted shop (1000m2, or no limit for bulky goods) is substantial and there is a lack of policy guidance for shops greater than 500m2 <p>Residential</p> <ul style="list-style-type: none"> - Both NPSP Zones include a range of residential properties as non-complying development but residential uses are not restricted in the Suburban Employment Zone. There is no policy guidance to indicate whether residential development is appropriate or otherwise <p>Industry</p> <ul style="list-style-type: none"> - Industry (other than light industry) is restricted in the Suburban Employment Zone whereas Service Industry is an anticipated land use in the Local Commercial Zone <p>Other commercial</p> <ul style="list-style-type: none"> - Waste reception, storage, treatment or disposal is a restricted land use in the Suburban Employment Zone whereas Refuse Destructor is an anticipated land use in the Local Commercial Zone - Wrecking yard is a restricted form of development but there are a number of auto wreckers in the Light Industry Zone in Glynde <p>Residential</p> <ul style="list-style-type: none"> - Various dwelling types are non-complying in the NPSP Zones but are no longer restricted and there is no policy guidance for residential land uses |
| Comments | <p>The Suburban Employment Zone has a much broader scope of development and land use than the current Light Industry and Local Commercial Zones. NPSP has significant concerns regarding the appropriateness and implications of introducing the proposed range of land uses in the spatially applied areas.</p> <p><u>Stepney</u> The Light Industry Zone in the 'Stepney Triangle' between Magill Rd, Payneham Rd & Nelson Street contains several residential allotments and many commercial sites are small scale, cottage industries. The scale anticipated in the Suburban Employment Zone exceeds that present throughout much of Stepney. More nuanced policies are required for this location.</p> <p>The remaining part of the Light Industry Zone in Stepney (comprising Otto's Timber Mill, other commercial activities and some residential) abuts the RHCZ and is located in an area with narrow streets and high street parking demands. Development in this location should also be generally limited in scale and range of land use.</p> <p><u>Glynde</u> The Glynde Light Industry precinct contains a range of commercial uses but primarily food manufacturing, auto repairs/parts, service trade premises and warehouses. The Glynburn Rd frontage would be the most appropriate location for bulky goods/ retail showrooms but not the minor streets due to both traffic/road constraints and in the interest of maintaining land availability</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Employment

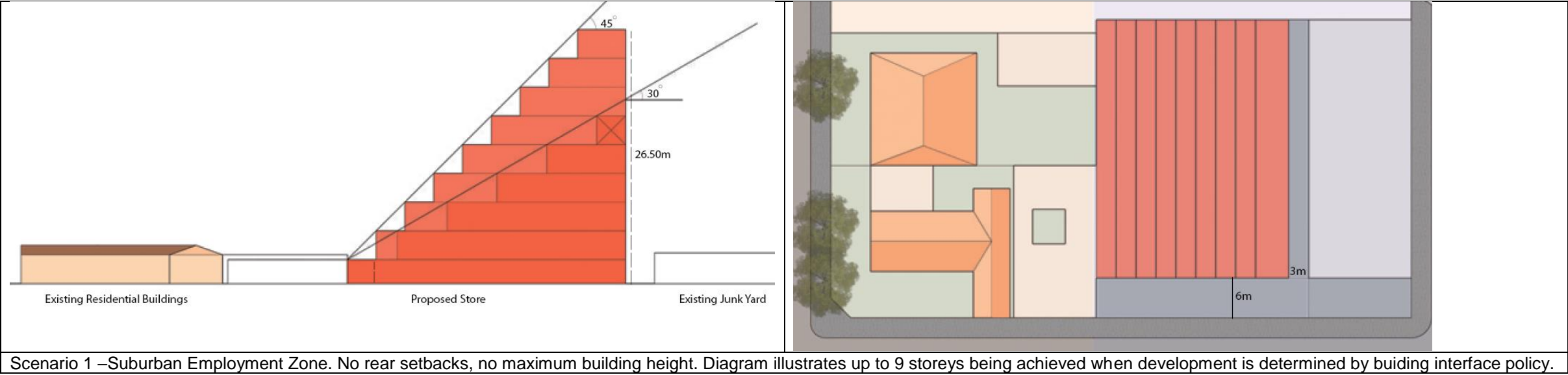
ATTACHMENT A

| | |
|--|--|
| | <p><u>Payneham</u> The former Schweppes site on Payneham Rd and the adjacent service trade premises and office is generally appropriate for the land uses anticipated in the Suburban Employment Zone</p> <p>As outlined under <i>Suburban Activity Centre Zone</i>, the Suburban Employment Zone is considered a more appropriate fit for the current NPSP District Commercial Zone</p> |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <p>There is generally a lack of range in commercial type zones in the Code. In this instance, the Suburban Employment Zone is not a suitable zone ‘fit’ in terms of land use and scale for much of the area where it is currently applied. It is recommended that either subzones or new zones are created to reflect the uniqueness of the areas as outlined above and summarised below, and it is expected that these new zones/ subzones would provide a more appropriate fit in other council areas also:</p> <p><u>Stepney Triangle & Otto’s Timber Mill and surrounds</u>: Subzone which does not anticipate shops or bulky goods but does anticipate small scale light industry and some residential land uses where existing land use rights apply</p> <p><u>Glynde</u>: Suburban Employment may be appropriate but bulky goods should be restricted to arterial roads, wrecking yard should not be restricted in light of how many existing in Glynde currently</p> <p>The current NPSP District Commercial Zone should be rezoned as Suburban Employment or a new, more appropriate zone</p> <p>Shop:</p> <ul style="list-style-type: none">- Bulky goods and other large shops should be limited to arterial roads- Outside of arterial roads, shops should be no greater than 250m2 to allow for food premises and convenience shops to service the employees within the area, without compromising land availability for industrial and similar land uses- Restricted threshold of 1000m2 is too large <p>Tourist Accommodation</p> <ul style="list-style-type: none">- Tourist accommodation is not generally considered appropriate or ideal amongst industrial/commercial/professional land uses <p>Wrecking yard</p> <ul style="list-style-type: none">- Should not be a restricted land use, at least in Glynde where there are a number of existing auto parts/wreckers etc <p>Residential</p> <ul style="list-style-type: none">- If there are circumstances where residential development is considered appropriate (e.g. alterations to existing dwellings) there should be policy guidance for this. As drafted, the Suburban Employment Zone doesn’t list dwellings as restricted, but also provides no policy guidance. <p>Industry</p> <ul style="list-style-type: none">- Service industry is not defined in the Code but is currently an anticipated land use in the Light Industry and Local Commercial Zones. | |

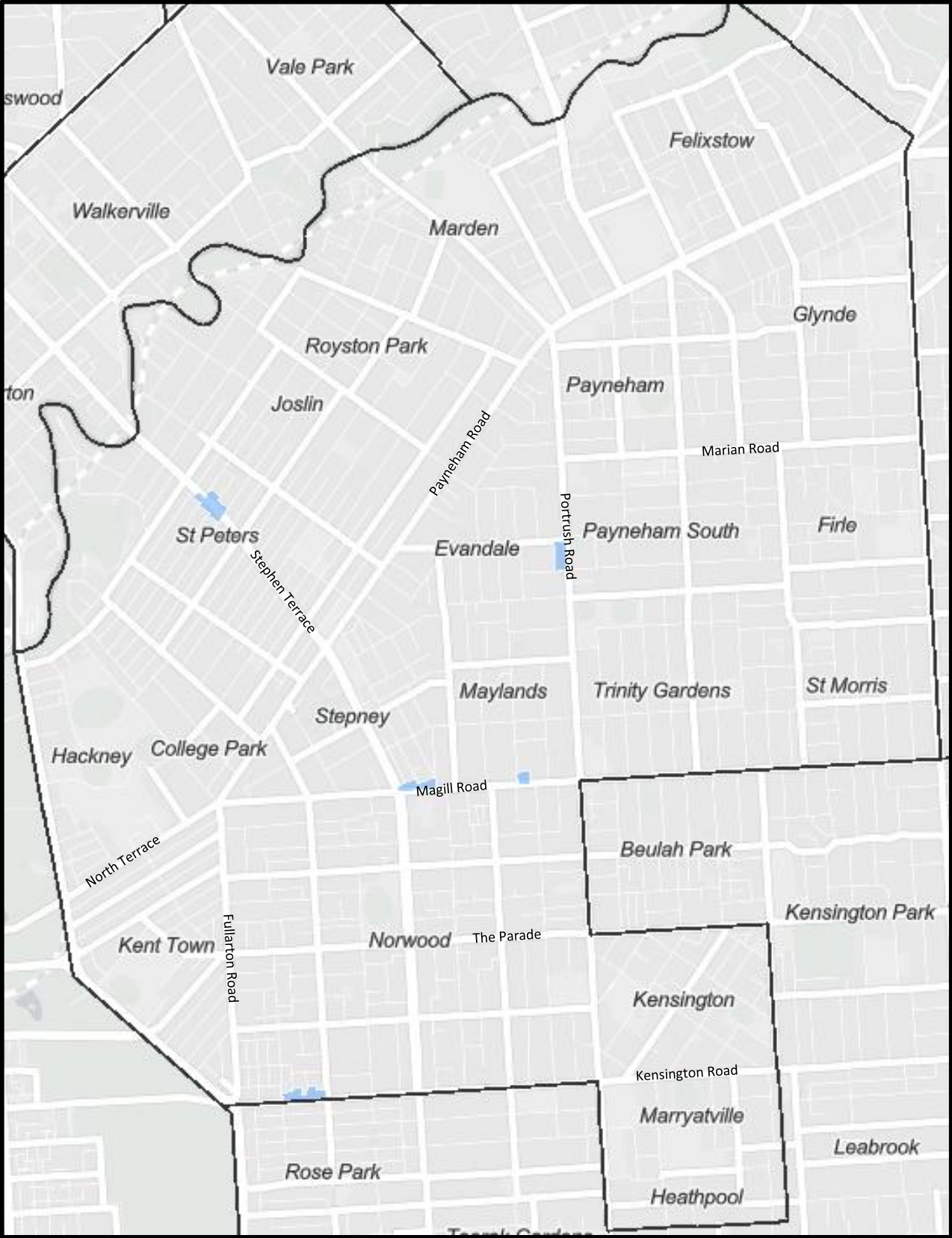
| Zone Policy | Comment | Recommendation |
|--|---|---|
| <p>PO 1.1 A range of employment generating light industrial, service trade, motor repair and other compatible businesses servicing the local community that do not produce objectionable emissions.</p> <p>DTS/DPF 1.1 Development comprises one or more of the following land uses:</p> <ul style="list-style-type: none">• Bulky goods outlet• Consulting room• Indoor recreation facility• Light industry• Office• Research facility• Service trade premises• Shop• Store• Training facility• Tourist accommodation• Retail fuel outlet• Place of worship• Motor repair station. | <p>As per previous comments, the term ‘employment generating’ is ambiguous.</p> <p>Tourist accommodation is not considered to be an appropriate land use in a primarily industrial/commercial locality where the business are expected to have limited interaction with the general public (e.g. unlike a retail centre).</p> | <p>Remove Tourist Accommodation as an envisaged land use</p> |
| <p>PO 1.2 Shops, other than bulky goods outlets, provide a local convenience service to meet the day to day needs of the local community and surrounding</p> | <p>PO 1.2 anticipates shops which cater to the surrounding businesses, or are ancillary to a manufacturing facility/light industry. DPF 1.2 anticipates shops (other than bulky goods & ancillary shops) up to 500m2, but this is considered too large for shops which are genuinely servicing local</p> | <p>Limit shop floor area to under 500m2 (preferably 250m2), other than where located on arterial roads.</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Employment

| | | |
|---|---|--|
| <p>businesses as well as support the sale of products made on-site as a supplement to a business activity to enhance local job opportunities. DTS/DPF1.2 Shop:</p> <p>a. with a gross leasable floor area up to 500m2; b. in the form of a bulky goods outlet; or c. ancillary to and located on the same allotment as a light industry.</p> | <p>employees. Bulky goods should be limited to arterial roads in the interests of preserving land in minor streets for smaller scale commercial/industry land uses.</p> <p>There is a lack of policy guidance between the envisaged shop use up to 500m2 and the restricted threshold of 1000m2</p> | <p>Bulky goods should be limited to arterial roads.</p> <p>Incorporate policies to provide additional guidance for shop use.</p> |
| <p>PO 3.5 Buildings adjoining a zone primarily intended to accommodate residential development are sited and designed to minimise visual impacts from building bulk. DTS/DPF 3.5 Buildings constructed within a building envelope provided by a 45 degree plane, measured from a height of 3m above natural ground level at the allotment boundary of a zone primarily intended to accommodate residential development as shown in the following diagram, except where the relevant boundary is a southern boundary, or where this boundary is the primary street boundary.</p> | <p>These are the only policies guiding an appropriate building height. The building envelope policy alone does not result in acceptable built form outcomes.</p> <p>NPSP undertook case study testing of a site in the Light Industry zone in Glynde adjacent to a residential zone (see images below) A 45deg envelope allowed up to 9 storeys whereas a 30deg envelope allowed for up to 5/6 storeys. While other factors such as car parking provision and more generic qualitative policies would also be considered, it is important for building height policy to be accompanied by other building height policies.</p> | <p>Include maximum building height policy.</p> |
| Other | | |
| There is nothing in the procedural matters table | | |



| Suburban Main Street - Description in the <i>Guide to the P&D Code</i> |
|--|
| <p>This zone accommodates small to medium- sized activity centres servicing a local or neighbourhood area. Development will primarily comprise shops, offices and consulting rooms. Residential development is appropriate only in conjunction with non-residential development. Buildings will be oriented toward the main street to create active frontages and reinforce the main street character. Building heights up to 4 storeys are anticipated where the building reinforces the main street edge. Buildings will decrease in height to provide an appropriate interface with adjoining low- to medium- density residential development.</p> |
| Suburban Main Street - Desired Outcome |
| <p>DO 1 A mix of land uses including retail, office, commercial, community, civic and medium density residential development that supports the local area.</p> <p>DO 2 A high degree of pedestrian activity and main street activity with well-lit and visually engaging shop fronts and business displays including alfresco seating and dining facilities.</p> <p>DO 3 An intimate public realm with active streets created by integrated mixed use buildings.</p> |
| Suburban Main Street - Anticipated Land Uses |
| <p>PO 1.1 Retail, office, entertainment and recreation related uses supplemented by other businesses that provide a range of goods and services to the local community.</p> <p>DTS/DPF 1.1 Development comprises one or more of the following land uses: Cinema Community facility Consulting room Health facility Hotel Indoor recreation facility Library Office Place of worship Pre-school Restaurant Shop Tourist accommodation.</p> <p>PO 1.2 Land uses that promote movement and activity during daylight and evening hours, including restaurants, educational, community and cultural facilities, and accommodation for visitors and residents.</p> <p>PO 1.3 Ground floor uses that contribute to an active and vibrant main street.</p> <p>DTS / DPF 1.3 Shop, restaurant, office, or consulting room uses are located on the ground floor level of buildings.</p> <p>PO 1.4 Dwellings developed in conjunction with non-residential uses to support business, entertainment and recreational activities that contribute to making the main street precinct and pedestrian thoroughfares pleasant and lively places.</p> <p>DTS / DPF 1.4 Dwellings developed in conjunction with non-residential uses that are sited: (a) at upper levels of buildings with non-residential uses located at ground level; or (b) behind non-residential uses on the same allotment.</p> <p>PO 1.5 Tourist accommodation and visitor attractions that that support the visiting public and holiday makers.</p> <p>PO 1.6 Bulky goods outlets are sited and designed to achieve or maintain a vibrant and interesting streetscape within retail areas.</p> <p>DTS/DPF 1.6 Bulky goods outlets with a gross leasable area of 500m2 or more are located towards the periphery of the zone.</p> |
| Restricted Development |
| <p>Industry</p> |
| Replacing NPSP Zones: |
| <p>Local Centre (Norwood), Local Centre (St Peters)</p> |
| NPSP Zone Objectives |
| <p>Local Centre (Norwood), Objective 1: Development providing minor retail facilities including small-scale specialty and convenience shops, restaurants and offices.</p> <p>Local Centre (St Peters) Objective 1: A zone primarily accommodating small groups of shopping, office and community facilities which cater for the day-to-day needs of nearby residents.</p> |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Suburban Main Street

ATTACHMENT A

| Changes and Recommendations -Suburban Main Street - Some key issues (not an exhaustive list) | |
|---|--|
| Objectives / Desired Outcome | <ul style="list-style-type: none"> - The Guide description of the Zone refers to 'centres' however the title of the zone implies a 'strip' zone e.g. along a high street or main street of a regional town. Clarification is required. - The Guide description also refers to centres servicing the 'local or neighbourhood' area which is the same as the Suburban Activity Centre Zone. What is the distinction between the SAC & the SMS zone? - The Suburban Main Street Zone anticipates a broad scale of development, but the intent of the zone compared to NPSP Zones is similar |
| Anticipated Land Uses | <ul style="list-style-type: none"> - The SMS Zone anticipates a 'Health Facility' – this land use is not defined so it's not clear what scale is intended, but large scale health facilities are unlikely to be appropriate in a zone of this nature - The Zone also anticipates an 'Indoor Recreation Facility' – these land uses are typically large and may also be inappropriate for the SMS Zone - The Suburban Main Street Zone has a broader list of anticipated land uses than the NPSP Zones but is generally similar. - DPF 1.6 anticipates bulky goods up to 500m2 on the periphery of the zone. This is not supported as the areas where SMS Zone applies are generally abutting residential zones where a bulky goods outlet of this size would not be appropriate. |
| Non-Complying / Restricted | <p>There is a significant difference in the volume of land uses which are non-complying in the NPSP Zone compared to the restricted land uses in the SMS Zone</p> <p>Residential</p> <ul style="list-style-type: none"> - The Local Centre (St Peters) Zone lists a range of dwelling types as non-complying land uses whereas dwellings in particular circumstances are anticipated in the SMS Zone. This is considered acceptable to accommodate 'shop top' style dwellings without compromising land availability for shops etc |
| Comments | The Local Shopping Zone has been proposed to be included in the Suburban Activity Centre, but is of a similar scale and intent as the Local Centre (St Peters) and Local Centre (Norwood) Zones and should be included in the same Code Zone |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <ul style="list-style-type: none"> - As per recommendations in Suburban Activity Centre Zone, there needs to be better policy distinction and zone application to reflect existing centres hierarchy - Include the current NPSP Local Shopping Zone in the Suburban Main Street Zone - Clarification of the difference between the SAC and SMS zones and where they should apply - Reconsider the appropriate size of a health facility or indoor recreation facility within the SMS Zone - Reconsider DPF 1.6 which seeks 500m2 bulky goods at the periphery of the zone | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Main Street

ATTACHMENT A

| Zone Policy | Comment | Recommendation |
|---|---|---|
| <p>PO 1.1 Retail, office, entertainment and recreation related uses supplemented by other businesses that provide a range of goods and services to the local community. DTS/DPF 1.1 Development comprises one or more of the following land uses: Cinema Community facility Consulting room Health facility Hotel Indoor recreation facility Library Office Place of worship Pre-school Restaurant Shop Tourist accommodation.</p> | <p>The DO anticipates medium density residential development but doesn't include a dwelling as an anticipated land use.</p> <p>There are no floor area or similar limitations to ensure development stays at a 'local' scale.</p> | <p>Include dwelling in the list of anticipated land uses.</p> <p>Provide policy parameters to guide 'local' scale development</p> |
| <p>PO 1.5 Tourist accommodation and visitor attractions that that support the visiting public and holiday makers</p> | | <p>Delete repeated word</p> |
| <p>PO 1.6 Bulky goods outlets are sited and designed to achieve or maintain a vibrant and interesting streetscape within retail areas. DTS/DPF 1.6 Bulky goods outlets with a gross leaseable area of 500m2 or more are located towards the periphery of the zone.</p> | <p>It is possible/likely that a Suburban Main Street Zone could be adjacent to a more sensitive zone (e.g. residential zone). It is not appropriate to locate very large bulky good premises at the periphery of the zone, particularly due to the likely traffic and activity generated by the use, but also the typically large and poorly articulated built form which accompanies these types of land uses.</p> | <p>This policy needs more careful consideration about its spatial application. Is the SMS Zone likely to be a nodal or linear centre?</p> <p>Larger commercial development should be located more centrally in the zone, with smaller/lower impact uses at the periphery.</p> |
| <p>PO 2.6 Outbuildings, carports and garages located behind the primary building facing the main street, to ensure vibrancy and activity along the main street.</p> | <p>This policy should also apply to open car parking areas.</p> | <p>PO 2.6 Outbuildings, car parking areas, carports and garages located behind the primary building facing the main street, to ensure vibrancy and activity along the main street.</p> |
| <p>PO 3.1 Building heights that are low to medium rise, where the height is commensurate with the development sites frontage and depth as well as the main street width, so that the impacts of building mass on adjoining properties and the streetscape can be minimised. DTS / DPF 3.1 Building height is not greater than any maximum, or less than any minimum, specified in the Maximum Building Height Levels Technical and Numeric Variation Overlay, the Maximum Building Height Metres Technical and Numeric Variation Overlay, or the Minimum Building Height Levels Technical and Numeric Variation Overlay.</p> | <p>TNV is missing. In the absence of any more specific guidance, the only reference is low to medium rise which is up to 6 storeys.</p> | <p>TNV and/or policy to refer to NPSP policies – 6 storeys not appropriate</p> <p>NPSP Policies: <i>Local Centre (Norwood) PDC 9</i> <i>Development in the Local Centre (Norwood) Zone should not exceed two storeys in height above mean natural ground level.</i></p> <p>Local Centre (St Peters) and Local Shopping don't specify a maximum building height but assessments consider City Wide PDCs 29 & 30 referred to above.</p> |
| <p>PO 3.4 <u>Buildings with no set-backs from road boundaries to achieve a continuity of street façade to the main street</u>, but with sections of building set back to create outdoor dining areas, visually interesting building entrances and intimate but active spaces. DTS 3.4 None are applicable. PO 3.5 Buildings with no setback from side boundaries to achieve a continuity of street façade to the main street. DTS / DPF 3.5 Except where contrary to DTS/DPF 3.2 (<i>45deg building envelope</i>) or 3.3 (<i>30deg building envelope on southern boundary</i>), building walls located on</p> | <p>DPF 3.4 seeks no setback from road boundaries but DPF 3.5 suggests the front wall should be set back in line with neighbouring buildings</p> | <p>Review policies and determine which is appropriate – suggest removing the underlined section of DPF 3.5</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Main Street

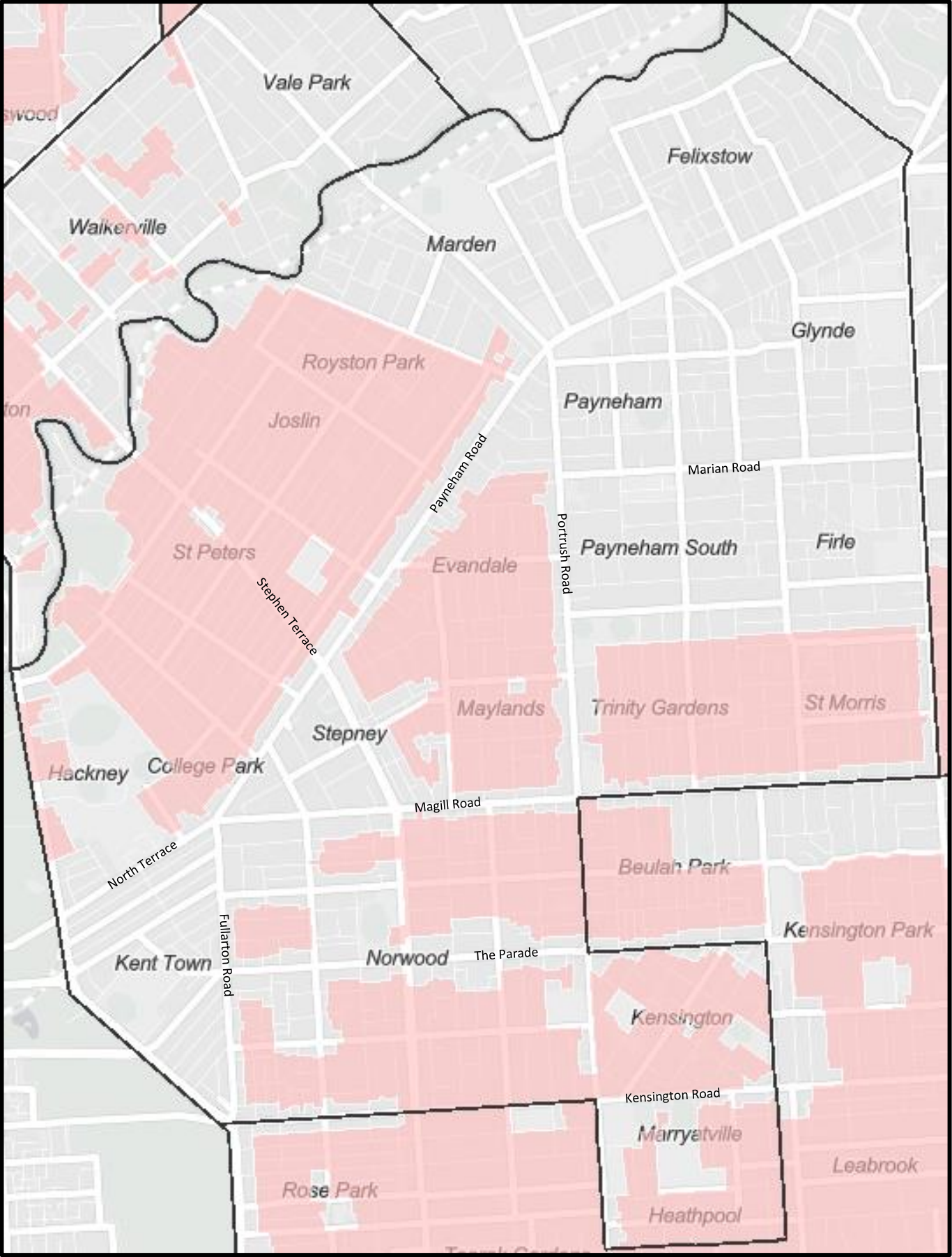
ATTACHMENT A

| | | |
|--|---|---|
| the site's side boundaries, <u>with the front wall set back in line with neighbouring buildings.</u> | | |
| PO 4.2 Vehicle parking that is located behind buildings away from the primary main street frontage and designed to <u>minimise its impacts on residential amenity.</u> DTS / DPF 4.2 Vehicle parking areas located behind the building line of the associated building. | PO 4.2 refers to minimising impacts on residential amenity – is this for residential properties in adjacent zones? If this refers to residential properties <i>within</i> the zone his appears to be the only policy concerned with impacts. e.g. Why not have building envelope policies applying to residential properties within the zone? | Review PO 4.2 with respect to 'minimising impacts on residential amenity' |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Neighbourhood

ATTACHMENT A

| Suburban Neighbourhood - Description in the <i>Guide to the P&D Code</i> |
|--|
| This zone adopts current development plan guidelines relating to building heights and allotment sizes. It will be applied where there is justification to vary site areas, setbacks and building heights due to local context / issues. |
| Suburban Neighbourhood - Desired Outcome |
| DO 1 Low or very low-density housing that is consistent with the existing local context and development pattern. Services and community facilities will contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character. |
| DO 2 Development on sloping land that is sensitive to the topography of the area and minimises environmental and visual impacts. |
| Suburban Neighbourhood - Anticipated Land Uses |
| PO 1.1 Residential development and supporting uses that provide housing and supporting services and facilities that preserve a low density residential character. |
| DTS 1.1 Development comprises one or more of the following land uses: Community facility Dwelling Educational establishment Office Pre-school Recreation area Shop. |
| PO 1.2 Dwellings complement the low-density or very-low density character of the neighbourhood. |
| DTS 1.2 None are applicable. |
| PO 1.3 Shops, consulting rooms and offices of a scale to maintain the amenity of nearby residents. |
| DTS 1.3 Other than a change in the use of an existing building that has been lawfully used as a shop, office or consulting room (or any combination thereof), shops, offices and consulting rooms do not exceed 100m2 in gross leasable floor area (individually or combined). |
| PO 1.4 Larger scale shops, offices and consulting rooms established on higher order roads and adjacent existing commercial and retail precincts. |
| DTS/DPF 1.4 Shop, consulting room and office: (a) floor area does not exceed 200m2; and (b) are located on sites with a frontage to an arterial or collector road or adjacent a Main Street or Activity Centre Zone. |
| PO 1.5 Non-residential development located and designed to improve community accessibility to services, primarily in the form of: (a) commercial uses including small scale offices, personal and domestic services 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. |
| DTS 1.5 None are applicable |
| PO 1.6 Non-residential development compatible with the low density suburban character and amenity. |
| DTS 1.6 None are applicable |
| Restricted Development |
| Shop – except with a gross leasable area less than 1000m2 |
| Replacing NPSP Zones: |
| Residential Character Residential Character (Norwood) Residential Historic (Conservation) |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Neighbourhood

| |
|---|
| <i>Policy Areas: College Park, Joslin/Royston Park, Kensington 1, Kensington 2, Marden (Broad St/Pollock Ave), Maylands, Norwood 1, Norwood 4, Payneham (Harcourt Rd), St Peters, The Avenues</i> |
| NPSP Zone Objectives |
| <u>Residential Character,</u> Objective 1: A residential zone ensuring the preservation of the existing development patterns and built form. Objective 2: Infill development, including affordable housing, which is designed to reflect the traditional character elements of the area, particularly as presented to the streetscape. Objective 3: Development that contributes to the desired character of the zone. |
| <u>Residential Character (Norwood)</u> Objective 1: A residential zone that continues to include a mix of housing from different eras of development and, in identified localities, ensures the continuation of the character derived from pre-1940s dwellings. Objective 2: Infill development in specified localities, including affordable housing, providing a variety of housing types and densities, which enhances the character of the locality. Objective 3: Development that contributes to the desired character of the zone. |
| <u>Residential Historic (Conservation)</u> Objective 1: Development that conserves the heritage value and historic character of the Residential Historic (Conservation) Zone and reinforces the desired character of the zone and the relevant policy area. Objective 2: The preservation of areas of historical significance primarily in residential use. Objective 3: The retention, enhancement and conservation of land, buildings and their settings, structures and landscape elements within the Residential Historic (Conservation) Zone that contribute significantly to its heritage value and historic character. Objective 4: Continued residential use in a variety of housing types and at dwelling densities consistent with the historic character for each of the relevant policy areas within the zone. Objective 5: Development that is sympathetic and compatible with the heritage value and historic character of the zone, but is also subordinate to the local historic character in terms of streetscape impact. Objective 6: Development that maintains the established allotment sizes and patterns, siting and orientation of buildings and incorporates high standards of design, building materials and landscaping. Objective 7: The continuance or reintroduction of non-residential use only where there is a historic basis for such a use, or where non-residential use will significantly contribute to the retention of historic character and not impact on residential amenity. Objective 8: Maintenance of a pleasant and functional living environment broadly meeting the needs and expectations of local residents |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Suburban Neighbourhood

ATTACHMENT A

| Changes and Recommendations - Suburban Neighbourhood - Some key issues (not an exhaustive list) | |
|--|--|
| Objectives / Desired Outcome | <ul style="list-style-type: none"> - Residential Character Zone objectives are similar to Suburban Neighbourhood - Residential Character (Norwood) Zone anticipates a range of dwelling types and densities which may be higher than that anticipated in the Suburban Neighbourhood Zone - The RHCZ Objectives focus on retaining historic buildings which is not the case for the Suburban Neighbourhood zone, however the HAO will apply to these areas - As outlined under Housing Diversity Neighbourhood Zone, the HDN Zone is not considered appropriate for the higher density RHCZ policy areas. If these policy areas are incorporated into Suburban Neighbourhood, rather than a new Code Zone, there will be a discrepancy between the SN Zone anticipating 'low or very low density' and the TNVs which would anticipate 200m² – 250m² for these policy areas |
| Anticipated Land Uses | <p>There is a significant increase in the range of land uses anticipated in the SN Zone compared to the RHCZ Zone. Establishing new land uses such as child care centres and pre-schools would not be appropriate in the RHCZ areas where this zone is intended to apply</p> <p>Shops</p> <ul style="list-style-type: none"> - In the Residential Character & Residential Character (Norwood) Zones, shops are anticipated only in certain circumstances including: existing commercial use, on an arterial road, or ancillary to a retirement facility. The non-comply trigger is up to 100m² or 150m² away from arterial roads and 250m² on arterial roads - In the RHC Zone, shops should be in a building original constructed as a shop and no more than 100m² - In the SN Zone, larger shops up to 200m² are anticipated on arterial or collector roads or adjacent a Main Street or Activity Centre Zone. These parameters may be appropriate as a DPF i.e. assessing a performance assessed development but not if applied as a DTS development <p>Childcare Centre</p> <ul style="list-style-type: none"> - In the Residential Character Zone, childcare centres are only anticipated where they are small and on arterial roads. - In the SN Zone, the same parameters don't apply. Childcare centres in residential zones need to be appropriately located in order to provide convenient services without unreasonably impacting adjacent residential properties |
| Non-Complying / Restricted | <p>There is a significant decrease in the list of restricted land uses in the Suburban Neighbourhood Zone compared to non-complying land uses in the NPSP Zones.</p> <p>Shops</p> <ul style="list-style-type: none"> - The restricted threshold for shops is 1000m² which is considered an excessively large threshold in the context of a residential zone. Should this threshold be retained, further policy guidance is required to fill a significant policy gap for assessments of shops which fall between the anticipated 100m² – 200m² and the restricted 1000m². <p>Other Commercial uses</p> <ul style="list-style-type: none"> - Why are uses such as industry, motor repair station, car wash, consulting rooms or offices of a particular size, retail fuel outlet etc not restricted in these zones? |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <ul style="list-style-type: none"> - Provide policy to guide the assessment of shops between 1-200m² and 1000m² - Include additional land uses as restricted including Industry and Retail Fuel Outlet | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Suburban Neighbourhood

ATTACHMENT A

| Zone Policy | Comment | Recommendation |
|---|--|---|
| <p>PO 1.1 Residential development and supporting uses that provide housing and supporting services and facilities that preserve a low density residential character.</p> <p>DTS 1.1 Development comprises one or more of the following land uses: Community facility Dwelling Educational establishment Office Pre-school Recreation area Shop.</p> | | Delete unnecessary wording as per strikethrough |
| <p>PO 1.3 Shops, consulting rooms and offices of a scale to maintain the amenity of nearby residents.</p> <p>DTS 1.3 Other than a change in the use of an existing building that has been lawfully used as a shop, office or consulting room (or any combination thereof), shops, offices and consulting rooms do not exceed 100m2 in <u>gross leasable floor area</u> (individually or combined).</p> <p>PO 1.4 Larger scale shops, offices and consulting rooms established on <u>higher order roads</u> and adjacent <u>existing commercial and retail precincts</u>.</p> <p>DTS/DPF 1.4 Shop, consulting room and office: (a) <u>floor area</u> does not exceed 200m2; and (b) are located on sites with a frontage to an arterial or collector road or adjacent a Main Street or Activity Centre Zone.</p> | <p>Different terminology is used with respect to floor area between DTS 1.3 and DTS 1.4.</p> <p>The terms 'higher order roads' and 'existing commercial and retail precincts' is confusing and should just refer to 'arterial or collector road' and 'Main Street or Activity Centre Zone'</p> | Provide consistent terminology as per comments |
| <p>PO 1.5 Non-residential development located and designed to improve community accessibility to services, primarily in the form of: (a) commercial uses including small scale offices, personal and domestic services 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</p> | No policies to assess the land uses outlined in parts (b) and, of a slightly lesser concern parts (c) and (d) | Include further policies for anticipated land uses |
| <p>PO 1.6 Non-residential development compatible with the low density suburban character and amenity.</p> | DO refers to 'low or very low density' | Consider including 'very low density' to be consistent with DO |
| <p>PO 2.1 Allotments/sites created for residential purposes are of suitable size and dimension and are compatible with the housing pattern consistent to the locality.</p> <p>DTS/DPF 2.1 Where the allotment has a slope less than 12.5% (1-in-8), development accords with the following: a) site areas (or allotment areas in the case of land division) not less than the minimum allotment size specified in the <i>Minimum Allotment Size Technical and Numeric Variation Overlay</i>; and b) site frontages widths not less than the minimum allotment frontage specified in the <i>Minimum Allotment Frontage Technical and Numeric Variation Overlay</i>.</p> | Some TNVs are missing and some are inconsistent with NPSP policy. Refer to tables below | Amend TNVs so that they are consistent with NPSP policy |
| PO 3.1 | It is noted that under Sch4 of the Development Regulations, ancillary structures such as carports, verandahs and outbuildings can be constructed | Provide separate site coverage requirement for dwellings excluding outdoor covered area, outbuildings etc |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Suburban Neighbourhood

ATTACHMENT A

| | | |
|--|--|--|
| <p>Building footprints consistent with the character and pattern of a low-density suburban 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</p> <p>The development does not result in a total roofed area (excluding eaves of a dwelling) on the site exceeding 50%.</p> | <p>as complying structures up to 60% site coverage in areas where the Suburban Neighbourhood will apply (e.g. in Residential Character Zone but not RH(C)Z). The policy as proposed will reduce the total site coverage including ancillary structures able to be constructed in these areas.</p> <p>As per previous comments, where a dwelling can be DTS and this site coverage policy applies (as per Table 2), a dwelling without any covered outdoor area could be processed as DTS with 50% site coverage. Any subsequent applications for covered outdoor areas or outbuildings would exceed the site coverage policy. One solution would be to provide a two part requirement for site coverage – e.g.</p> <p>(a) For the dwelling footprint excluding covered outdoor areas and outbuildings, but including integrated garages = 40%</p> <p>(b) For all roofed area including verandahs, outbuildings etc = 50%</p> | |
| <p>PO 4.1</p> <p>Buildings contribute to a low-rise suburban character and complement the height of nearby buildings.</p> <p>DTS/DPF 4.1</p> <p>Building height (excluding garages, carports and outbuildings) no greater than that specified in the <i>Building Height Technical and Numeric Variations Overlay</i>.</p> | <p>Many TNVs are either missing or incorrect – refer to tables below</p> | <p>Amend TNVs as per NPSP policy</p> |
| <p>PO 5.1</p> <p>Buildings are setback from primary street boundaries to complement the existing suburban streetscape character.</p> <p>DTS/DPF 4.1</p> <p>Buildings are setback from the primary street boundary either:</p> <p>(a) at least the average of existing buildings on the adjoining sites which face the same street; or</p> <p>(b) in relation to a site on the corner of two streets or adjacent a public space or thoroughfare, at least the distance of existing buildings on the adjacent site or the closest site away from the corner, public space or thoroughfare that contains a building facing the same primary street without crossing another street, public space or thoroughfare; or</p> <p>(c) at least 8m where no buildings exist on the adjoining or adjacent sites.</p> | <p>This policy doesn't cover a situation where one of the adjacent sites is vacant</p> | <p>Correct DPF from 4.1 to 5.1</p> <p><i>Buildings are no closer to the primary street frontage than:</i></p> <p><i>(a) the average of existing buildings on adjoining sites with the same primary street frontage and, if there is only one such building, the setback of that building;...</i></p> <p><i>(c) where no building exists on any adjoining site, Xm or more.</i></p> |
| <p>PO 7.1</p> <p>Boundary walls are limited in height and length to manage 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, dwellings with side boundary walls are sited on only one side boundary, and either:</p> <p>(a) adjoin or abut a boundary wall of a building on adjoining land for the same length and height; or</p> <p>(b) do not exceed the following: (i) 3m in height from the top of the footings; (ii) 10m in length;</p> <p>(iii) when combined with other walls on the boundary of the subject development site, maximum 45% of the length of the boundary; and</p> <p>(iv) setback at least 3 metres from any other existing or proposed boundary walls on the subject land.</p> | <p>A 10m boundary wall would be excessive in many situations. Boundary wall length should be limited to 8m as per current Development Regulations. Longer walls can be assessed in the context of the situation as part of a performance assessed development.</p> <p>Part (c) refers to the wall being set back from any other existing or proposed boundary walls. Does this refer to a 3m separation between walls or a 3m set back from the property boundary?</p> | <p>Reduce boundary wall length of 8m</p> <p>Clarify what the 3m setback refers to</p> |
| <p>PO 9.1</p> <p>Buildings are set back from rear boundaries to provide:</p> <p>(a) separation between dwellings in a way that complements the established character of the locality;</p> <p>(b) access to natural light and ventilation for neighbours;</p> <p>(c) private opens space; and</p> <p>(d) space for landscaping and vegetation.</p> <p>DTS/DPF 9.1</p> <p>Buildings are set back from the rear boundary at least:</p> <p>(a) 3m for the first building level; and</p> <p>(b) 5m for any second building level.</p> | <p>The 3m rear setback at ground level is unlikely to facilitate a tree planting with mature spread of 2-4m as per Design in Urban Areas – Residential Dev 3 building levels or less DPF 21.2</p> | <p>Increase rear setbacks to 4m and 6m respectively</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Neighbourhood

| NPSP Development Plan | | | P&D Code | Comments |
|---|--|---|--|--|
| Residential Character – Evandale / Maylands / Stepney | | | Suburban Neighbourhood – Character Area Overlay | |
| Building Height | | | TNV | |
| 2 storey provided it maintains a mostly single storey streetscape appearance City Wide policies state single storey for hammerhead | | | 2 storey | Doesn't reflect special requirements for hammerheads |
| Dwelling Type | Site Area (square metres) | Minimum Site Frontage (metres) | TNVs | TNVs are missing Anticipated in SN Zone: - Detached - Semis - Dwellings or RFB under housing renewal - Supported accommodation Hammerhead development not anticipated in Suburban Neighbourhood Zone but anticipated in parts of E/M/S policy area |
| Detached Dwelling: | | | TNVs for site area and frontage width are missing. | |
| - Maylands | 500 minimum | 12* | | |
| - Evandale, Payneham | 450 minimum | 11* | | |
| - Stepney | 400 minimum | 10* <i>*12.5 where a double garage/carport fronting the primary street is proposed</i> | | |
| Semi-detached Dwelling: | | | | |
| - Maylands | 500 minimum | 10* | | |
| - Evandale, Payneham | 450 minimum | 10* | | |
| - Stepney | 400 minimum | 8* <i>*12.5 where a double garage/carport fronting the primary street is proposed</i> | | |
| Detached Dwelling (hammerhead allotment): | | | | |
| - Maylands, Evandale, Payneham | 450 minimum (exclusive of the driveway handle) | 4 (driveway handle width) 15 (total development site frontage) | | |
| Group Dwelling: | | | | |
| - Evandale, Payneham | 400 average (exclusive of common areas) | 18 (total development site frontage) | | |

| NPSP Development Plan | | | P&D Code | | Comments |
|---|---------------------------|---|---|--|---|
| Residential Character – Hackney | | | Suburban Neighbourhood – Character Area Overlay | | |
| Building Height | | | TNV Height | | |
| Dwellings fronting Hackney Road: 2 storeys Other locations (fronting a public road): 2 storeys provided it maintains a mostly single storey appearance on primary street frontage City Wide policies state single storey for hammerhead | | | 2 storeys / 9m | | Doesn't reflect differences between sites on Hackney Rd and those not on Hackney Rd. Also doesn't reflect hammerhead policy. |
| Dwelling Type | Site Area (square metres) | Minimum Site Frontage (metres) | TNVs – Site Area | TNVs Frontage width | See notes under each TNV Anticipated in SN Zone: - Detached - Semis - Dwellings or RFB under housing renewal - Supported accommodation Group, Row and RFBs anticipated in Hackney but not in Suburban Neighbourhood |
| Detached Dwelling | 400 minimum | 12* <i>*12.5 where a double garage/carport fronting the primary street is proposed</i> | 400m2 | 12m <i>(note different policy re double garage)</i> | |
| Semi-detached Dwelling | 400 minimum | 9* <i>*12.5 where a double garage/carport fronting the primary street is proposed</i> | 400m2 | 9m <i>(note different policy re double garage)</i> | |
| Group Dwelling | No minimum | 18 (total development site frontage) | None specified | 18m <i>(doesn't specify total frontage width)</i> | |
| Row dwelling | No minimum | 18 (total development site frontage) | None specified | 18m <i>(doesn't specify total frontage width)</i> | |
| Residential Flat Building | No minimum | 18 (total development site frontage) | None specified | 18m <i>(doesn't specify total frontage width)</i> | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Neighbourhood

ATTACHMENT A

| NPSP Development Plan | | | P&D Code | | Comments | | | |
|---|---|---|---|------------------------|---|--|--|--|
| Residential Character – Marryatville/Heathpool | | | Suburban Neighbourhood – Character Area Overlay | | | | | |
| Building Height | | | TNV Height | | | | | |
| 2 storeys (provided that it maintains a mostly single-storey appearance along the primary street frontage) City Wide policies state single storey for hammerhead | | | 2 storeys 9m | | Doesn't reflect mostly single storey streetscape appearance Doesn't reflect special requirements for hammerheads | | | |
| Dwelling Type | Site Area (square metres) | Minimum Site Frontage (metres) | TNVs Site Area | TNVs Frontage Width | | | | |
| Detached Dwelling: | | | Missing site areas | Missing frontage width | TNVs are missing No TNV/Policy for floor areas in a RFB Anticipated in SN Zone: - Detached - Semis - Dwellings or RFB under housing renewal - Supported accommodation Hammerhead, Group dwelling, RFB anticipated in M/H policy area but not Suburban Neighbourhood Zone | | | |
| - Heathpool | 400 minimum | 10* | | | | | | |
| - Marryatville (east of Clapton Road) (west of Clapton Road only sites > 1000m²) | No minimum | 10* <i>*12.5 where a double garage/carport fronting the primary street is proposed</i> | | | | | | |
| Semi-detached Dwelling: | | | | | | | | |
| - Heathpool | 400 minimum | 9* <i>*12.5 where a double garage/carport fronting the primary street is proposed</i> | | | | | | |
| - Marryatville (east of Clapton Road) (west of Clapton Road only sites > 1000m²) | No minimum | 9* <i>*12.5 where a double garage/carport fronting the primary street is proposed</i> | | | | | | |
| Detached Dwelling (hammerhead allotment): | | | | | | | | |
| - Marryatville (east of Clapton Road) (west of Clapton Road only sites > 1000m²) | No minimum | 4 (driveway handle width) 14 (total development site frontage) | | | | | | |
| Group Dwelling: | | | | | | | | |
| - Heathpool | 400 average (exclusive of common areas) | 18 (total development site frontage) | | | | | | |
| - Marryatville (east of Clapton Road) (west of Clapton Road only sites > 1000m²) | No minimum | 18 (total development site frontage) | | | | | | |
| Residential Flat Building: | | | | | | | | |
| - Marryatville (east of Clapton Road) (west of Clapton Road only sites > 1000m²) | No minimum | 18 (total development site frontage) | | | | | | |
| NPSP Development Plan: Marryatville / Heathpool - Floor area of dwellings in a RFB | | | | | | | | |
| No of bedrooms | Minimum floor area (square metres) | TNV | | | | | | |
| Studio | 40 | No commensurate TNV or policy | | | | | | |
| 1 bedroom | 50 | | | | | | | |
| 2 bedrooms | 70 | | | | | | | |
| 3+ bedrooms | 100 | | | | | | | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Neighbourhood

ATTACHMENT A

| NPSP Development Plan | | | P&D Code | | Comments |
|--|------------------------------|---|---|----------------------|--|
| Residential Character – St Peters/Joslin/Royston Park | | | Suburban Neighbourhood – Character Area Overlay | | |
| Building Height | | | TNV Height | | |
| 2 storeys provided it maintains a mostly single storey streetscape appearance City Wide policies state single storey for hammerhead | | | 2 storeys 9m | | Doesn't reflect mostly single storey streetscape appearance Doesn't reflect special requirements for hammerheads |
| Dwelling Type | Site Area (square metres) | Minimum Site Frontage (metres) | TNV Site Area | TNV Building Heights | TNVs are missing Anticipated in SN Zone: - Detached - Semis (Only anticipated in StP/J/RP in certain circumstances only) - Dwellings or RFB under housing renewal - Supported accommodation |
| Detached Dwelling: | | | TNV is missing | TNV is missing | |
| - St Peters, College Park, Joslin | 500 minimum | 15 | | | |
| - Royston Park | 450 minimum | 12* <i>*12.5 where a double garage/carport fronting the primary street is proposed</i> | | | |
| Semi-detached Dwelling: | | | | | |
| - St Peters, College Park (only where vehicle access and garaging for both dwellings can be established from an adjacent rear laneway) | 500 minimum | 10 | | | |
| - Joslin | 500 minimum | 12* | | | |
| - Royston Park | 450 minimum | 10* <i>*12.5 where a double garage/carport fronting the primary street is proposed</i> | | | |

| NPSP Development Plan | | | P&D Code | | Comments |
|--|--|--|------------------------|------------------|---|
| Residential Character – Trinity Gardens / St Morris | | | Suburban Neighbourhood | | |
| Building Height | | | TNV Height | | |
| 2 storeys provided it maintains a mostly single storey streetscape appearance Single storey for hammerheads | | | 2 storeys 9m | | Doesn't reflect mostly single storey streetscape appearance Doesn't reflect special requirements for hammerheads |
| Dwelling Type | Site Area (square metres) | Min Site Frontage (m) | TNV Site Area | TNV Height | |
| Detached Dwelling: | | | TNVs are missing | TNVs are missing | TNVs are missing Anticipated in SN Zone: - Detached - Semis - Dwellings or RFB under housing renewal - Supported accommodation Hammerhead and group dwellings anticipated in St Morris but not in Suburban Neighbourhood Zone |
| - Trinity Gardens | 500 minimum | 11* | | | |
| - St Morris, east of Thomas Avenue | 400 minimum | 11* | | | |
| - St Morris, west of Thomas Avenue | 450 minimum | 11* *12.5 where a double garage/carport fronting the primary street is proposed | | | |
| Semi-detached Dwelling: | | | | | |
| - Trinity Gardens | 500 minimum | 10* | | | |
| - St Morris, east of Thomas Avenue | 400 minimum | 9* | | | |
| - St Morris, west of Thomas Avenue | 450 minimum | 9* *12.5 where a double garage/carport fronting the primary street is proposed | | | |
| Detached Dwelling (hammerhead allotment): | | | | | |
| - St Morris | 400 minimum (exclusive of the driveway handle) | 4 (driveway handle width) 15 (total dev site frontage) | | | |
| Group Dwelling: | | | | | |
| - St Morris | 400 average (exclusive of common areas) | 18 (total development | | | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Neighbourhood

ATTACHMENT A

| NPSP Development Plan | | | P&D Code | | Comments |
|---|--|---|---|---|--|
| Residential Character (Norwood) | | | Suburban Neighbourhood – Character Area Overlay | | |
| Note – no reflection of character pockets as per Fig RC(N)/1 | | | | | |
| Building Height | | | Building Height | | Doesn't reflect character pockets or hammerhead policies |
| In character pockets – 2 storey but mostly single storey streetscape appearance Out of character pockets – 2 storeys Single storey for hammerhead | | | 2 storeys – 9m | | |
| Dwelling Type | Site Area (square metres) | Minimum Site Frontage (metres) | TNV site area | TNV frontage width | |
| Detached Dwelling: | | | | | Concept plan Fig RC(N)/1 illustrating character pockets should be included in the Code with accompanying policy to manage building height, subdivision, and built form outcomes. Site areas are only consistent with the area provided for north of The Parade, east of Osmond Tce. Site areas don't specify whether common area in included or excluded. Frontage widths don't reflect double garage policies. Semi-detached dwelling frontage is greater than Development Plan. Anticipated in SN Zone: - Detached - Semis - Dwellings or RFB under housing renewal - Supported accommodation Row dwelling, Group dwelling, RFB, anticipated in Res Character (Nwd) Zone but not in Suburban Neighbourhood |
| - North of The Parade and east of Osmond Terrace, excluding sites fronting Portrush Road | 300 minimum | 9* | 300m2 | 9m Note no policy for double garage | |
| - In all other localities | 250 minimum | 9* *12.5 where a double garage/carport fronting the primary street is proposed | | | |
| Semi-detached Dwelling: | | | | | |
| - North of The Parade and east of Osmond Terrace, excluding sites fronting Portrush Road | 300 minimum | 8* *12.5 (where a double garage/carport fronting the primary street is proposed) | 300m2 | 9m | |
| - In all other localities | 250 minimum | 8* *12.5 (where a double garage/carport fronting the primary street is proposed) | | | |
| Detached Dwelling (hammerhead allotment) | 300 minimum (exclusive of the driveway handle) | 4 (driveway handle width) 13 (total development site frontage) | None | None | |
| Row Dwelling: | | | | | |
| - North of The Parade and east of Osmond Terrace, excluding sites fronting Portrush Road | 300 | 6 | 300m2 | 6m | |
| - In all other localities | 250 | 6 | | | |
| Group Dwelling: | | | | | |
| - North of The Parade and east of Osmond Terrace, excluding sites fronting Portrush Road | 300 average (exclusive of common areas) | 18 (total development site frontage) | 300m2 Note these don't refer to exclusive of common area | 18m Note these don't refer to total frontage width | |
| - In all other localities | 250 average (exclusive of common areas) | 18 (total development site frontage) | | | |
| Residential Flat Building | No minimum | 18 (total development site frontage) | 300m2 – how does this apply to RFBs? | 18m | |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|------------------------------------|------------------------|--|---|
| RHCZ – College Park | | Suburban Neighbourhood | | |
| Building Height | 2 storeys where this is compatible | Building Height (TNV) | 2 Storeys – 9m | <i>No reference to where 2 storeys is compatible</i> Only detached dwellings anticipated in College Park |
| Dwelling Type | Detached | Dwelling Type | <ul style="list-style-type: none">- Detached (not hammerhead)- Semis- Dwellings or RFB under housing renewal- Supported accommodation | |
| Site Area | 900 | Site Area (TNV) | 900 | |
| Frontage Width | None | Frontage Width (TNV) | None | |
| Site Coverage | 40% | Site Coverage? | 50% (Suburban Neighbourhood DPF 3.1) | |
| | | | | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Neighbourhood

ATTACHMENT A

| NPSP Development Plan | | P&D Code | | Comments |
|----------------------------|--|------------------------|--|--|
| RHCZ – Joslin Royston Park | | Suburban Neighbourhood | | |
| Building Height | 1 storey expect where predominant height is 2 storey | Building Height (TNV) | 2 storeys | Wrong building height and doesn't acknowledge differing buildings heights as appropriate to locality |
| Dwelling Type | Detached | Dwelling Type | <ul style="list-style-type: none">- Detached (not hammerhead)- Semis- Dwellings or RFB under housing renewal- Supported accommodation | Only detached dwellings anticipated in Joslin/ Royston Park |
| Site Area | 600 | Site Area (TNV) | Missing TNV | Missing |
| Frontage Width | 18m | Frontage Width (TNV) | Missing TNV | Missing |
| Site Coverage | 50% | Site Coverage? | 50% (Suburban Neighbourhood DPF 3.1) | |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|---|------------------------|--|--|
| RHCZ – Kensington 1 | | Suburban Neighbourhood | | |
| Building Height | 2 storeys | Building Height (TNV) | 2 storeys 9m | |
| Dwelling Type | Range | Dwelling Type | <ul style="list-style-type: none">- Detached (not hammerhead)- Semis- Dwellings or RFB under housing renewal- Supported accommodation | |
| Site Area | 400 except where the site doesn't contribute in which case a lesser site area consistent with the pattern | Site Area (TNV) | 400 | No exemptions for non-contributing sites |
| Frontage Width | None | Frontage Width (TNV) | None | |
| Site Coverage | None | Site Coverage? | 50% (Suburban Neighbourhood DPF 3.1) | No specified site coverage in Dev Plan |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|---|------------------------|---|---|
| RHCZ – Kensington 2 | | Suburban Neighbourhood | | |
| Building Height | 2 storeys | Building Height (TNV) | 9m | |
| Dwelling Type | Range | Dwelling Type | <div>- Detached (not hammerhead) - Semis - Dwellings or RFB under housing renewal - Supported accommodation</div> | |
| Site Area | 400 except where the site doesn't contribute in which case a lesser site area consistent with the pattern | Site Area (TNV) | 400 <i>No exemptions for non-contributing sites</i> | <i>No exemptions for non-contributing sites</i> |
| Frontage Width | None | Frontage Width (TNV) | None | |
| Site Coverage | None | Site Coverage | 50% (Suburban Neighbourhood DPF 3.1) | <i>No site coverage currently</i> |

| NPSP Development Plan | | P&D Code | | Comments |
|---|--|------------------------|--|---|
| RHCZ – Marden (Broad Street / Pollock Avenue) | | Suburban Neighbourhood | | |
| Building Height | 1 storey | Building Height (TNV) | 2 storeys 9 m | Wrong building height |
| Dwelling Type | Detached Dwelling Semi-detached Dwelling (only on Broad Street) | Dwelling Type | <ul style="list-style-type: none">- Detached (not hammerhead)- Semis- Dwellings or RFB under housing renewal- Supported accommodation | Only detached, and semis in particular locations, anticipated in Marden (Broad St/ Pollock Ave) |
| Site Area | 300 (& consistent with historic pattern) | Site Area (TNV) | 600 | Wrong site area TNV |
| Frontage Width | D: 17m S (along Broad St only): 9m | Frontage Width (TNV) | 18 | Wrong frontage width (in number used and also not recognising semi-detached requirement) |
| Site Coverage | 50% | Site Coverage? | 50% (Suburban Neighbourhood DPF 3.1) | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Neighbourhood

ATTACHMENT A

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|------------------|------------------------|---|--|
| RHCZ – Maylands | | Suburban Neighbourhood | | |
| Building Height | 1 storey | Building Height (TNV) | 1 storey 6m | |
| Dwelling Type | Detached or Semi | Dwelling Type | <div>- Detached (not hammerhead) - Semis - Dwellings or RFB under housing renewal - Supported accommodation</div> | Only detached or semis anticipated in Maylands |
| Site Area | 300 | Site Area (TNV) | 300 | |
| Frontage Width | D: 15 S: 9 | Frontage Width (TNV) | D: 15 S: 9 | |
| Site Coverage | 50% | Site Coverage? | 50% (Suburban Neighbourhood DPF 3.1) | |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|-----------|------------------------|--|--|
| RHCZ – Norwood 1 | | Suburban Neighbourhood | | There is inconsistency in zone selection – other policy areas with 200m2 sites are in HDN zone. In any case, HDN is not preferred, so Suburban Neighbourhood would be preferable |
| Building Height | 2 storeys | Building Height (TNV) | 2 storeys 9m | |
| Dwelling Type | Range | Dwelling Type | <ul style="list-style-type: none">- Detached (not hammerhead)- Semis- Dwellings or RFB under housing renewal- Supported accommodation | |
| Site Area | 200 | Site Area (TNV) | Missing | Missing TNV |
| Frontage Width | None | Frontage Width (TNV) | None | |
| Site Coverage | None | Site Coverage? | 50% (Suburban Neighbourhood DPF 3.1) | No specified site coverage in Dev Plan |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|---|------------------------|---|--|
| RHCZ – Norwood 4 | | Suburban Neighbourhood | | |
| Building Height | 2 storeys | Building Height (TNV) | 2 storeys 9m | |
| Dwelling Type | Range | Dwelling Type | <div>- Detached (not hammerhead) - Semis - Dwellings or RFB under housing renewal - Supported accommodation</div> | |
| Site Area | 300 except where site doesn't contribute in which case no less than 200m2 | Site Area (TNV) | Missing | Site area TNV is missing |
| Frontage Width | None | Frontage Width (TNV) | Missing | Frontage width TNV is missing |
| Site Coverage | None | Site Coverage? | 50% (Suburban Neighbourhood DPF 3.1) | No specified site coverage in Dev Plan |

| NPSP Development Plan | | P&D Code | | Comments |
|---------------------------------|------------------------------------|------------------------|---|---|
| RHCZ – Payneham (Harcourt Road) | | Suburban Neighbourhood | | |
| Building Height | 1 storey | Building Height (TNV) | 1 storey 6m | Only detached anticipated in Payneham (Harcourt Rd) |
| Dwelling Type | Detached | Dwelling Type | <div>- Detached (not hammerhead) - Semis - Dwellings or RFB under housing renewal - Supported accommodation</div> | |
| Site Area | 300 (also consistent with pattern) | Site Area (TNV) | Detached: 300 Semi: 300 | |
| Frontage Width | 15m | Frontage Width (TNV) | Missing | Missing frontage width TNV |
| Site Coverage | 50% | Site Coverage? | 50% (Suburban Neighbourhood DPF 3.1) | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Suburban Neighbourhood

ATTACHMENT A

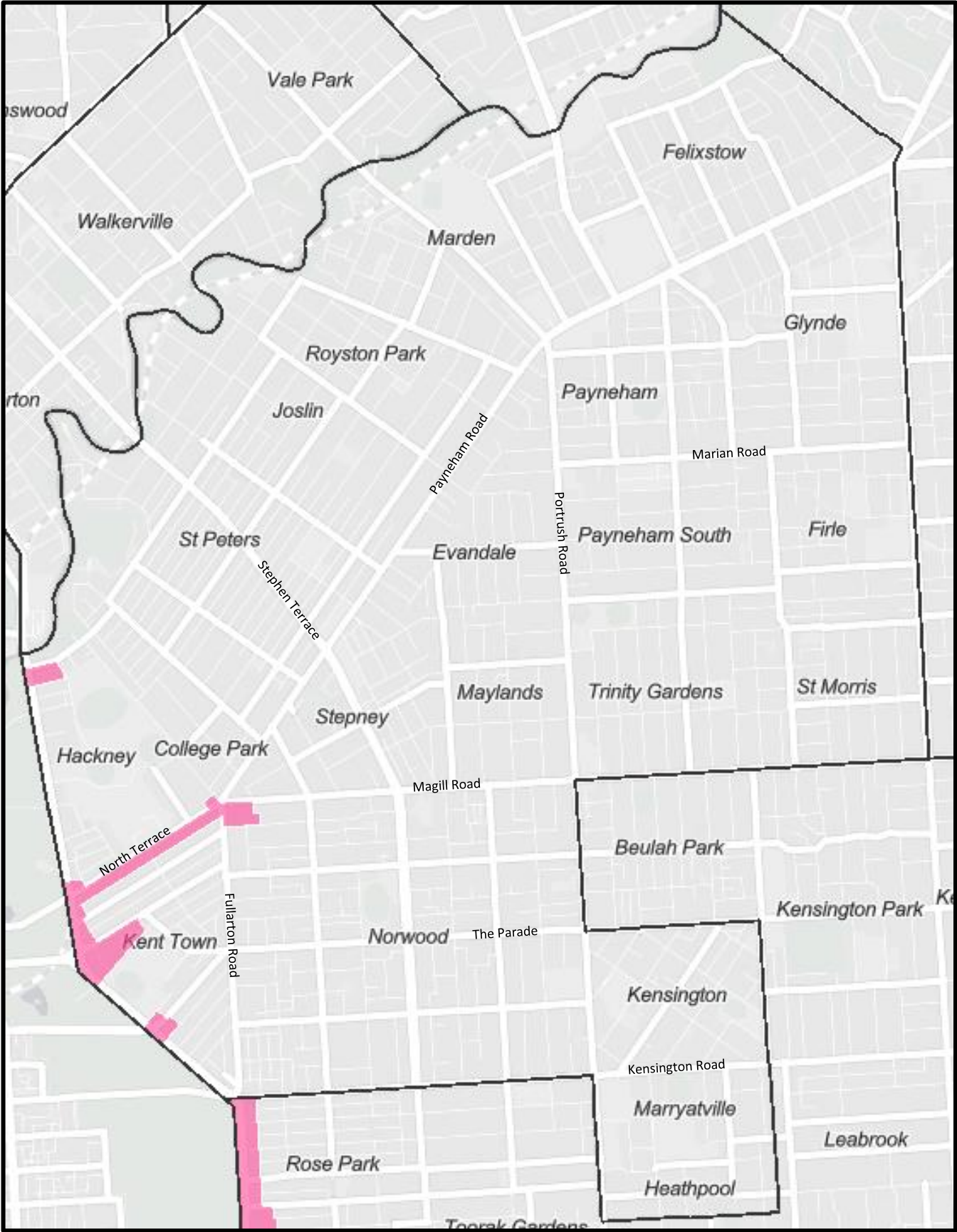
| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|--|------------------------|--|---|
| RHCZ – St Peters | | Suburban Neighbourhood | | |
| Building Height | One storey | Building Height (TNV) | 2 storeys 9m | Wrong building height |
| Dwelling Type | Detached, semi-detached | Dwelling Type | <div><div>- Detached (not hammerhead)</div><div>- Semis</div><div>- Dwellings or RFB under housing renewal</div><div>- Supported accommodation</div></div> | Only Detached or semis anticipated in St Peters |
| Site Area | 300 | Site Area (TNV) | 900m2 | Wrong site area |
| Frontage Width | The site for a dwelling should have a primary street frontage of not less than 80 per cent of the average site frontages of the adjoining sites and in any event should not be less than the following: (a) Detached Dwelling: 13 metres (b) Semi-detached dwelling (not including First Avenue St Peters): 9 metres (c) Semi-detached dwelling (along First Avenue St Peters) 7 metres | Frontage Width (TNV) | None | Frontage width TNV is missing |
| Site Coverage | 50% | Site Coverage? | 50% (Suburban Neighbourhood DPF 3.1) | |

| NPSP Development Plan | | P&D Code | | Comments |
|-----------------------|--|------------------------|---|--|
| RHCZ – The Avenues | | Suburban Neighbourhood | | |
| Building Height | One storey except if immediate locality is 2 storeys | Building Height (TNV) | 2 storeys 9m | Doesn't acknowledge differing buildings heights as appropriate to locality |
| Dwelling Type | Detached | Dwelling Type | <div>- Detached (not hammerhead) - Semis - Dwellings or RFB under housing renewal - Supported accommodation</div> | Only detached anticipated in The Avenues |
| Site Area | 600 | Site Area (TNV) | 600 | |
| Frontage Width | 18 | Frontage Width (TNV) | Missing | Frontage Width TNV is missing |
| Site Coverage | 50% | Site Coverage? | 50% (Suburban Neighbourhood DPF 3.1) | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Urban Corridor (Boulevard)

ATTACHMENT A

| - Description in the <i>Guide to the P&D Code</i> | |
|---|--|
| This zone supports a mix of medium and high density urban development framing strategic main road corridors and areas of significant open space. The primary aim of the zone is to create a uniform streetscape edge set back from the main road boundary to allow for generous landscaping and to frame the corridor with tall, articulated building facades and highly activated frontages. A greater variety and mix of land uses is sought in this zone, in particular mixed use buildings that contain offices, small-scale shops, and mixed use business development at lower floors with dwellings above. Subzones: The Hard-edged Built Form Subzone and Soft Landscaped Subzone have been created to reflect a difference in primary road setbacks in the City of West Torrens, City of Prospect and City of Norwood Payneham and St Peters where the typical 6 metre setback does not apply. | |
| - Desired Outcome | |
| Buildings that achieve a consistent, tall, uniform facade to frame the primary road corridor generally well set back with areas of significant open space. Buildings accommodate a mix of compatible residential and non-residential uses including contain small scale shops and mixed business development at ground and lower floor levels with residential land uses above. | |
| - Anticipated Land Uses | |
| <p>PO 1.1 A vibrant mix of land uses adding to the vitality of the area and extend activities outside shop hours including restaurants, educational, community and cultural facilities and visitor and residential accommodation.</p> <p>DTS/DPF 1.1 (a) Development comprises one or more of the following land uses: (a) Apartments (b) Child Care Centre (c) Consulting Room (d) Dwelling (e) Educational Establishment (f) Hotel (g) Licensed Entertainment Premises (h) Licensed Premises (i) Office (j) Residential Flat Building (k) Restaurant (l) Shop (m) Supported Accommodation (n) Student Accommodation (o) Tourist Accommodation</p> <p>PO 1.2 Shops, offices and consulting rooms that provide a range of goods and services to the local community and the surrounding district.</p> <p>DTS/DPF 1.2 Shop, office or consulting room uses not exceeding a maximum gross leasable floor area of 2,000m2 in a single building.</p> <p>PO 1.3 Dwellings developed in conjunction with non-residential uses that positively contribute to making the public realm of the primary road corridor, open space frontage and pedestrian thoroughfares safe, walkable, comfortable, pleasant and vibrant places.</p> <p>DTS/DPF 1.3 Dwellings in mixed use buildings to be located at the upper floor levels of buildings.</p> <p>PO 1.4 Development of medium to high density accommodation options either as part of a mixed use development or wholly residential development.</p> <p>DTS/DPF 1.4 Residential development (other than residential development in a mixed use building) achieves a minimum net residential density of at least 75 dwellings per hectare.</p> <p>PO 1.5 Ground floor uses positively contribute to an active primary road corridor and open space frontage.</p> <p>DTS/DPF 1.5 Shop, restaurant, office, or consulting room uses located on the ground floor level of mixed use buildings.</p> | |
| Restricted Development | |
| Industry | Light Industry |
| Shop | Restaurant |
| | Shop with a gross leasable floor area less than 4000m2 |
| Replacing NPSP Zones: | |
| Urban Corridor - Boulevard Policy Area only | |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Urban Corridor (Boulevard)

ATTACHMENT A

| NPSP Zone Objectives |
|--|
| <p>Objective 1: Medium and high rise development framing the street, including mixed use buildings that contain shops, offices and commercial development at lower floors with residential land uses above and wholly residential buildings in specified locations.</p> <p>Objective 2: A uniform streetscape edge established through a largely consistent front setback and tall, articulated building facades.</p> <p>Objective 3: Development that does not compromise the transport functions of the road corridor.</p> <p>Objective 4: Development that contributes to the desired character of the policy area.</p> |

| Changes and Recommendations - Urban Corridor (Boulevard) - Some key issues (not an exhaustive list) | |
|--|--|
| Objectives /Desired Outcome | - The Code and NPSP objectives are largely similar, however the NPSP objectives are more comprehensive |
| Anticipated Land Uses | <ul style="list-style-type: none"> - The anticipated land uses are generally consistent. - In the NPSP Urban Corridor – Boulevard Policy Area, the envisaged floor area for a shop is currently 1000m2 but this is being increased to 2000m2 - There is a lack of policy guidance for shops between 2000m2 to 4000m2 - There is no need to specify “Residential flat building” if “Dwelling” is also anticipated |
| Non-Complying / Restricted | <ul style="list-style-type: none"> - The restricted trigger for shops in this zone is 4000m2 which is significant. What shops are anticipated at this size and does this apply to a single tenancy shop or a group of shops? - Petrol filling station is currently non-complying but is no longer restricted |
| Comments | |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| - Reconsider the envisaged floor area for a shop and the restricted floor area for shops | |

| Zone Policy | Comment | Recommendation |
|---|--|--|
| <p>PO 1.1 A vibrant mix of land uses adding to the vitality of the area and extend activities outside shop hours including restaurants, educational, community and cultural facilities and visitor and residential accommodation. DTS/DPF 1.1 (a) Development comprises one or more of the following land uses: (a) Apartments (b) Child Care Centre (c) Consulting Room (d) Dwelling (e) <u>Educational Establishment</u> (f) Hotel (g) Licensed Entertainment Premises (h) Licensed Premises (i) Office (j) Residential Flat Building (k) Restaurant (l) Shop (m) <u>Supported Accommodation</u> (n) Student Accommodation (o) <u>Tourist Accommodation</u></p> | <p>The underlined uses are not in Table 3</p> <p>‘Apartment’ isn’t a defined form of dwelling – is it necessary to have both ‘apartment’ and ‘dwelling’ if the policies are sufficiently clear to identify how residential development should occur?</p> | <p>Include the underlined envisaged land uses in Table 3</p> |
| <p>DTS/DPF 1.2 Shop, office or consulting room uses not exceeding a maximum gross leasable floor area of 2,000m2 in a single building. PO 1.3 Dwellings developed in conjunction with non-residential uses that positively contribute to making the public realm of the primary road corridor, open space frontage and pedestrian thoroughfares safe, walkable, comfortable, pleasant and vibrant places.</p> | <p>Current NPSP policy in UrC – Boulevard Policy Area limits shops to 1000m2. What is the rationale for the substantial floor area increase?</p> <p>There is a lack of policy guidance between 2000m2 shops and the restricted floor size of 4000m2</p> | <p>Consider reducing envisaged floor area for a shop</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Urban Corridor (Boulevard)

ATTACHMENT A

| <p>PO 2.4</p> <p>Building height consistent with the form expressed in the <i>Maximum Building Height Levels Technical and Numeric Variation Overlay</i> and the <i>Maximum Building Height Metres Technical and Numeric Variation Overlay</i> and positively responds to the local context including the site's frontage, depth, and adjacent primary corridor or street width.</p> <p>DTS/DPF 2.4</p> <p>Building height is not greater than any maximum, or less than any minimum, specified in the <i>Maximum Building Height Levels Technical and Numeric Variation Overlay</i>, the <i>Maximum Building Height Metres Technical and Numeric Variation Overlay</i>, or the <i>Minimum Building Height Levels Technical and Numeric Variation Overlay</i>.</p> | <p>TNV for minimum building height on North Tce is incorrect. The minimum building height given is 4 storeys but it should be 3 storeys.</p> <p>NPSP Policy:</p> <table><tr><th>Policy area</th><th>Minimum building height</th><th>Maximum building height</th></tr><tr><td>Boulevard</td><td>3 storeys or no less than 11.5 metres, or 4 storeys or no less than 15 metres for land that is directly adjacent to or facing the Adelaide Park Lands</td><td>10 storeys and up to 36 metres</td></tr></table> | Policy area | Minimum building height | Maximum building height | Boulevard | 3 storeys or no less than 11.5 metres, or 4 storeys or no less than 15 metres for land that is directly adjacent to or facing the Adelaide Park Lands | 10 storeys and up to 36 metres | <p>Amend the TNV so that minimum building height is 3 storeys</p> |
|---|--|---|--|---|---------------------------------|---|--------------------------------|---|
| Policy area | Minimum building height | Maximum building height | | | | | | |
| Boulevard | 3 storeys or no less than 11.5 metres, or 4 storeys or no less than 15 metres for land that is directly adjacent to or facing the Adelaide Park Lands | 10 storeys and up to 36 metres | | | | | | |
| <p>PO 2.5</p> <p>Buildings setback from the primary street boundaries to provide a consistent streetscape edge with generous landscaping and tall articulated building facades.</p> <p>DTS/DPF 2.5</p> <p>Buildings setback from the primary street frontage in accordance with either of the following (whichever is the lesser):</p> <p>(a) not less than 6m; or</p> <p>(b) the average of the setback of the existing building on each adjoining site fronting the same street.</p> <p>Soft Edged Subzone</p> <p>PO 1.2</p> <p>Buildings with shallow front setbacks from the primary street boundaries to transition the character of the primary road corridor to a more open and landscaped environment.</p> <p>DTS/DPF 1.2</p> <p>Development with a 3 metre setback from the primary street frontage.</p> | <p>The front setbacks at the zone and subzone level are not consistent with NPSP Policy:</p> <table><tr><th>Policy Area</th><th>Minimum setback from the primary road frontage where it is the Primary Road Corridor as shown on Concept Plan Fig UrC/1 and UrC/2.</th><th>Minimum setback from the primary road frontage in all other cases</th></tr><tr><td>Boulevard</td><td>4 metres from the Dequetteville Terrace, North Terrace, Magill Road and Fullarton Road Primary Road Corridors</td><td>2 metres</td></tr></table> | Policy Area | Minimum setback from the primary road frontage where it is the Primary Road Corridor as shown on Concept Plan Fig UrC/1 and UrC/2. | Minimum setback from the primary road frontage in all other cases | Boulevard | 4 metres from the Dequetteville Terrace, North Terrace, Magill Road and Fullarton Road Primary Road Corridors | 2 metres | <p>Accept Code front setback</p> |
| Policy Area | Minimum setback from the primary road frontage where it is the Primary Road Corridor as shown on Concept Plan Fig UrC/1 and UrC/2. | Minimum setback from the primary road frontage in all other cases | | | | | | |
| Boulevard | 4 metres from the Dequetteville Terrace, North Terrace, Magill Road and Fullarton Road Primary Road Corridors | 2 metres | | | | | | |
| <p>PO 2.7</p> <p>Buildings set back from side boundaries (other than street and zone boundaries) to provide separation between buildings in a way that complements the established character of the locality and enables access to natural sunlight and ventilation for neighbouring buildings.</p> <p>DTS/DPF 2.7</p> <p>Except where 3.1 or 3.2 apply, Buildings with no window/s or balcony/s fronting the boundary, setback from side boundaries as follows:</p> <p>(a) no minimum setback on the boundary, within the first 18m from the front property boundary for any building level;</p> <p>(b) no minimum setback for remaining length for ground level only; and</p> <p>(c) 2m for 1st level and above for building parts more than 18 metres from the front property boundary.</p> <p>PO 2.8</p> <p>Buildings set back from rear boundaries (other than street boundaries) to minimise negative impacts on neighbouring properties, including access to natural sunlight and ventilation.</p> <p>DTS/DPF 2.8</p> <p>Except where 3.1 or 3.2 apply, Buildings setback from rear boundaries as follows:</p> <p>(a) 5m or more where the subject land directly abuts an allotment of a different zone; or</p> <p>(b) 3m or more in all other cases, except where the development abuts the wall of an existing or simultaneously constructed building on the adjoining land.</p> | <p>This policy needs review as it is not producing good design outcomes. What review has been undertaken of narrow frontage locations (eg Churchill Road) which supports the zero side setback?</p> <p>There is significant content with the NPSP Urban Corridor Desired Character statements regarding building design and siting. E.g.:</p> <p><i>The landscaped front and side set-backs of development along Dequetteville Terrace and North Terrace will make a positive contribution to the public realm and provide a more amenable pedestrian environment adjacent to the main roads, although it is recognised that on sites with narrower frontages, some elements of a new building may extend to side boundaries. On larger sites, new development will encourage pedestrian permeability through to other streets within Kent Town and the Park Lands.</i></p> <p><i>The maintenance of views to the City, Hills and Park Lands will be considered in the design of new developments. This will mostly be achieved by setting back the upper levels of buildings, in order to provide space between buildings. It is, however, recognised that the introduction of tall buildings may have some adverse impact on the visual outlook of occupants of existing buildings. Consideration will be given at the design stage of development to ensure that this impact is minimised where possible.</i></p> | <p>Review setback policy and introduce policies reflective of NPSP Desired Character Statements</p> | | | | | | |
| <p>PO 2.9</p> <p>Buildings set back from street boundaries (in the case of rear access ways) to provide adequate manoeuvrability for vehicles.</p> <p>DTS/DPF 2.9</p> | <p>Current NPSP Policy states:</p> <table><tr><th>Policy area</th><th>Minimum setback from a secondary</th><th>Minimum setback from a rear access way (or laneway)</th></tr></table> | Policy area | Minimum setback from a secondary | Minimum setback from a rear access way (or laneway) | <p>Amend as per NPSP policy</p> | | | |
| Policy area | Minimum setback from a secondary | Minimum setback from a rear access way (or laneway) | | | | | | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Urban Corridor (Boulevard)

ATTACHMENT A

| | | |
|---|--|---|
| <p>Buildings setback from the rear access way: (a) no requirement where the access way is not less than 6.5m wide; or (b) where the access way is less than 6.5m wide, the distance equal to the additional width required to make the access way at least 6.5m wide.</p> | <p>road (where the secondary road is not a rear access way or laneway)</p> <p>Boulevard Policy Area</p> <p>No minimum</p> <p>1 metre where the access way is 6.5 metres or more in width OR Where the access way is less than 6.5 metres in width, the additional width required to make the access way 6.5 metres, to provide adequate manoeuvrability for vehicles, plus 1 metre</p> | |
| <p>PO 3.1 Buildings mitigate visual impacts of building massing on residential development within a neighbourhood zone. DTS/DPF 3.1 Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3 metres above natural ground level at the allotment boundary of a residential allotment within a neighbourhood zone as shown in the following diagram (except where this boundary is a southern boundary in which case DTS/DPF 3.2 will apply, or where this boundary is the primary street boundary): <i>Note that the diagram is incorrectly placed in the draft Code</i></p> <p>PO 3.2 Buildings designed to minimise overshadowing of sensitive receivers in the Suburban Neighbourhood Buildings mitigate overshadowing of residential development within a neighbourhood zone. DTS/DPF 3.2 Buildings 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 allotment boundary of a residential allotment within a neighbourhood zone as shown in the following diagram:</p> | <p>Disagree with 45deg building envelope. The Building Envelope Policy does not make it clear that the specified maximum building height still applies i.e. an applicant could interpret a conflict between the maximum height which could be achieved against the building envelope policy and the maximum height specified by the TNV, in which case they may argue for the higher figure.</p> | <p>Amend to 30deg and also refer to maximum building height in this policy</p> |
| <p>PO 4.1 Consolidation of significant development sites (a site with a frontage over 25m to a primary road corridor and over 2500m2 in area, which may include one or more allotment) to achieve increased development yield provided that off-site impacts can be managed and broader community benefit is achieved in terms of design quality, community services, affordable housing provision, or sustainability features. DTS/DPF 4.1 Development on significant development sites up to 30% above the maximum building height specified in DTS/DPF 2.4 where it: (a) incorporates the retention, conservation and reuse of a building which is a listed heritage place or an existing built form and context that positively contributes to the character of the local area; (b) includes more than 15% of dwellings as affordable housing; or (c) includes at least: i. three of the following: A. high quality open space that is universally accessible and is directly connected to, and well integrated with, public realm areas of the street; B. high quality, safe and secure, universally accessible pedestrian linkages that connect through the development site; C. active uses are located on the public street frontages of the building, with any above ground car parking located behind; D. a range of dwelling types that includes at least 10% of 3+ bedroom apartments; E. a child care centre; and ii. three of the following sustainable design measures are provided:</p> | <p>NPSP has Key Development Sites with specified building heights but no policy which permits building heights exceeding the maximum specified</p> <p>NPSP is strongly opposed to the introduction of new bonus height maximums for significant development sites. The maximum building heights were carefully considered as part of the original Urban Corridor Zoning in 2013. Sites considered appropriate and capable of larger development were provided with specified building heights as part of Key Development Sites in Concept Plans. The new concept of significant development sites takes the highest acceptable building level and increases it.</p> <p>Developments of this scale are <i>expected</i> to incorporate the features outlined in DPF 4.1, they're not 'bonuses to be rewarded' e.g. affordable housing, active uses at the front of the building, a range of dwelling types, living landscaped surfaces, passive heating and cooling etc.</p> <p>This will result in much more adhoc and unpredictable building heights and skylines and does not deliver the upfront certainty intended to be delivered through the Code</p> | <p>Remove policies relating to Significant Development Sites and reincorporate concept plans.</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Urban Corridor (Boulevard)

ATTACHMENT A

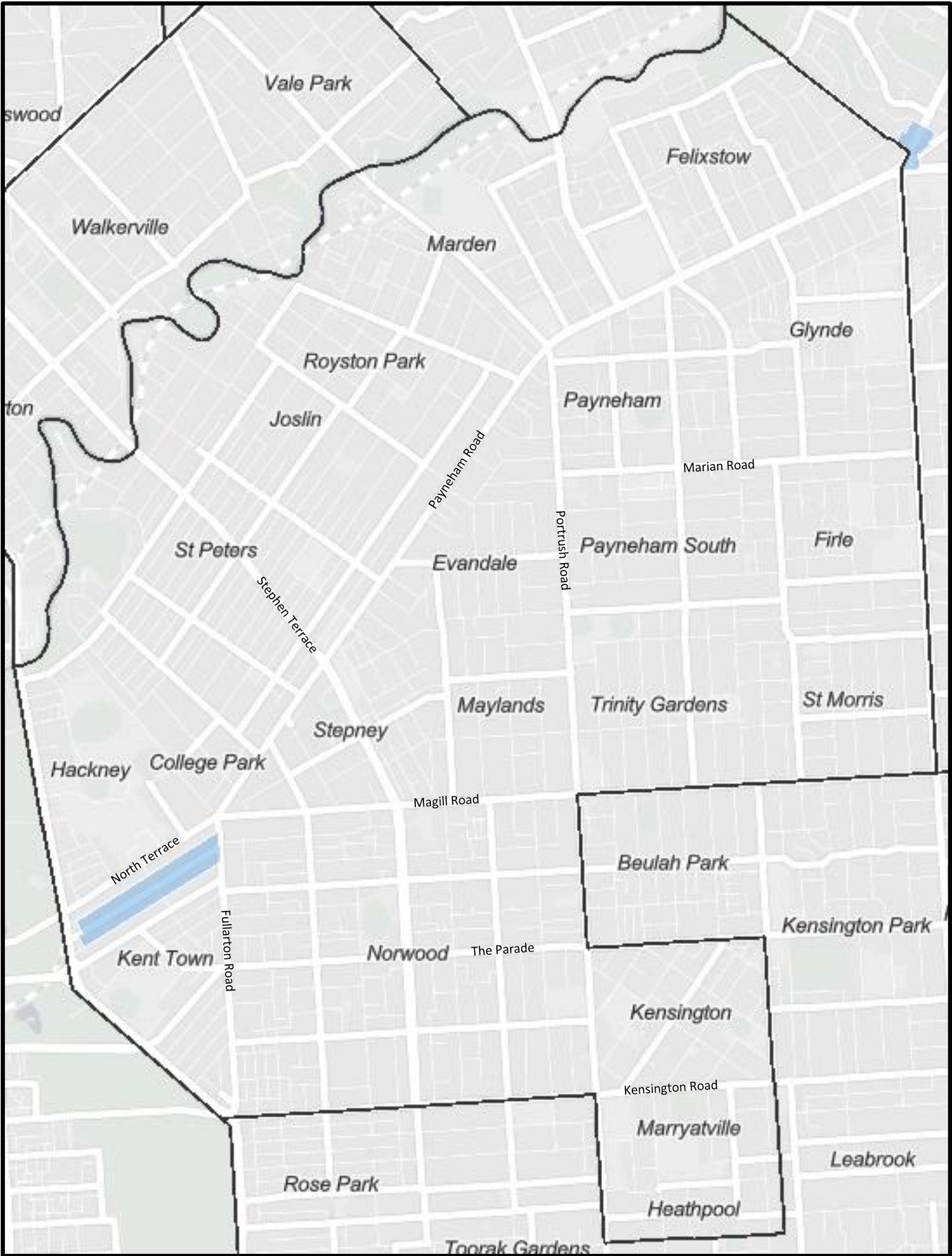
| | | |
|---|--|--|
| <p>A. a communal useable garden integrated with the design of the building that covers the majority of a rooftop area supported by services that ensure ongoing maintenance;</p> <p>B. living landscaped vertical surfaces of at least 50m2 supported by services that ensure ongoing maintenance;</p> <p>C. passive heating and cooling design elements including solar shading integrated into the building;</p> <p>D. higher amenity through provision of private open space in excess of minimum requirements by 25% for at least 50% of dwellings.</p> | | |
|---|--|--|

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Urban Corridor (Business)

ATTACHMENT A

| Urban Corridor (Business)- Description in the <i>Guide to the P&D Code</i> |
|---|
| <p>This zone supports a mix of medium and high density urban development along established strategic or mixed use road corridors. The primary aim of the zone is to provide for a large range of non-residential development typical of existing Mixed Use Zones on main road corridors. Non-residential development will be located at ground level in mixed use or individual buildings and will be supported by a diverse range of dwellings at ground or upper floor levels (in either mixed use or standalone buildings). The key difference between this zone and the other Urban Corridor Zones is the larger range of non-residential land uses envisaged (including petrol stations, light / service industries, service trade premises and warehouses).</p> |
| Urban Corridor (Business)- Desired Outcome |
| <p>Buildings that achieve a consistent, tall, uniform facade to frame the primary road corridor generally well set back with areas of significant open space. Buildings accommodate a mix of compatible residential and non-residential uses including contain small scale shops and mixed business development at ground and lower floor levels with residential land uses above.</p> |
| Urban Corridor (Business)- Anticipated Land Uses |
| <p>PO 1.1 A diverse range of employment land uses, educational and community facilities in conjunction with residential accommodation. DTS/DPF 1.1 Development comprises one or more of the following land uses: • Apartments • Child Care Centre • Consulting Room • Dwelling • Educational Establishment • Hotel • Licensed Entertainment Premises • Licensed Premises • Office • Residential Flat Building • Retail Fuel Outlet • Restaurant • Service Industry • Service Trade Premises • Shop • Store • Student Accommodation • Supported Accommodation • Tourist Accommodation • Warehouse</p> <p>PO 1.2 A range of small to medium scale non-residential uses, services and facilities such as shops, offices and consulting rooms that meet the day to day needs of the local community. DTS/DPF 1.2 Shop, office or consulting room uses not exceeding a maximum gross leasable floor area of 500m2.</p> <p>PO 1.3 Development of non-residential uses such as educational facilities, child care facility, health and welfare services to service the local community as well as a wider catchment.</p> |
| Restricted Development |
| <p>Industry (Except light industry) Shop (except Restaurant and Shop with a gross leasable area less than 100m2)</p> |
| Replacing NPSP Zones: |
| <p>Urban Corridor – Business Policy Area only</p> |
| NPSP Zone Objectives |
| <p>Objective 1: A mixed use business policy area that accommodates a range of commercial and light industrial land uses together with compatible medium and high density residential development.</p> <p>Objective 2: Development that minimises any adverse impacts upon the amenity of the locality within the zone.</p> <p>Objective 3: A high standard of development which promotes distinctive contemporary building, landscape and streetscape design, with high visual and environmental amenity.</p> <p>Objective 4: Development that contributes to the desired character of the policy area.</p> |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Urban Corridor (Business)

ATTACHMENT A

| Changes and Recommendations - Urban Corridor (Business) - Some key issues (not an exhaustive list) | |
|---|--|
| Objectives / Desired Outcome | - Code Desired Outcome is less comprehensive but generally similar to Objective 1. NPSP Objectives 2 & 3 are not generally reflected in the Desired Outcome |
| Anticipated Land Uses | - In the NPSP UrC Zone, Petrol filling station is a non-complying land use but Retail Fuel Outlet is an anticipated land use - The terms ‘Apartments’ and ‘Residential Flat Building’ aren’t necessary if the term ‘dwelling’ is also used - Light Industry is anticipated in the NPSP Zone, and is referenced in the Desired Outcome but is not listed as a desired land use in DPF 1.1 - Indoor recreation centre is anticipated in the NPSP Zone but not the Code Zone – there have been a number of applications for fitness centre/gyms or similar in smaller tenancies in the Urban Corridor Zone. |
| Non-Complying / Restricted | - The restricted threshold for a shop is 1000m2 – what policy guidance is there between the anticipated shop floor area of 500m2 and the restricted threshold of 1000m2? |
| Comments | |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| - Include Light industry in the desired land uses to be consistent with the DO | |

| Zone Policy | Comment | Recommendation | | | | | | |
|--|---|--|-------------------------|-------------------------|----------|---------------------------------------|---------------------------------|--|
| PO 1.1 A diverse range of employment land uses, educational and community facilities in conjunction with residential accommodation. DTS/DPF 1.1 Development comprises one or more of the following land uses: • Apartments • Child Care Centre • Consulting Room • Dwelling • <u>Educational Establishment</u> • Hotel • Licensed Entertainment Premises • Licensed Premises • Office • Residential Flat Building • <u>Retail Fuel Outlet</u> • Restaurant • <u>Service Industry</u> • Service Trade Premises • Shop • <u>Store</u> • Student Accommodation • <u>Supported Accommodation</u> • <u>Tourist Accommodation</u> • Warehouse | As per comments above – reconsider the inclusion of both ‘apartments’ and ‘dwelling’ The underlined uses aren’t included in Table 3 | Include all envisaged uses in Table 3 – Performance Assessed Development | | | | | | |
| PO 2.3 Building height consistent with the form expressed in the <i>Maximum Building Height Levels Technical and Numeric Variation Overlay</i> and the <i>Maximum Building Height Metres Technical and Numeric Variation Overlay</i> and positively responds to the local context including the site’s frontage, depth, and adjacent primary corridor or street width. DTS/DPF 2.3 Building height is not greater than any maximum, or less than any minimum, specified in the <i>Maximum Building Height Levels Technical and Numeric Variation Overlay</i> , the <i>Maximum Building Height Metres Technical and</i> | TNV does not correctly reflect NPSP policy: <table><tr><th>Policy area</th><th>Minimum building height</th><th>Maximum building height</th></tr><tr><td>Business</td><td>3 storeys or no less than 11.5 metres</td><td>5 storeys and up to 18.5 metres</td></tr></table> | Policy area | Minimum building height | Maximum building height | Business | 3 storeys or no less than 11.5 metres | 5 storeys and up to 18.5 metres | Amend minimum building height in the TNV from 5 storeys to 3 storeys |
| Policy area | Minimum building height | Maximum building height | | | | | | |
| Business | 3 storeys or no less than 11.5 metres | 5 storeys and up to 18.5 metres | | | | | | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Urban Corridor (Business)

ATTACHMENT A

| | | |
|---|--|--|
| <i>Numeric Variation Overlay, or the Minimum Building Height Levels Technical and Numeric Variation Overlay.</i> | | |
| <p>PO 2.6 Buildings set back from rear boundaries (other than street boundaries) to minimise impacts on neighbouring properties, including access to natural sunlight and ventilation.</p> <p>DTS/DPF 2.6 Buildings setback from rear boundaries as follows: (a) <u>5m or more where the subject land directly abuts an allotment of a different zone;</u> or (b) 3m or more in all other cases, except where the development abuts the wall of an existing or simultaneously constructed building on the adjoining land.</p> <p>PO 2.7 Buildings set back from side boundaries (other than street and zone boundaries) to provide separation between buildings in a way that complements the established character of the locality and enables access to natural sunlight and ventilation for neighbouring buildings.</p> <p>DTS/DPF 2.7 Buildings with no window/s or balcony/s fronting the boundary, setback from side boundaries as follows: (a) no minimum on the boundary within the first 18m from the front property boundary for any building level; (b) no minimum for remaining length for ground level only; and (c) 2m for 1st level and above for building parts more than 18m from the front property boundary.</p> | There appears to be a conflict with DPF 2.6 and 2.7 with respect to setback requirements | Clarify when PO 2.6 & 2.7 apply in relation to PO 3.1 & 3.2 |
| <p>PO 3.1 Buildings mitigate visual impacts of building massing on residential development within a neighbourhood zone.</p> <p>DTS/DPF 3.1 Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3 metres above natural ground level at the allotment boundary of a residential allotment within a neighbourhood zone as shown in the following diagram (except where this boundary is a southern boundary in which case DTS/DPF 3.2 will apply, or where this boundary is the primary street boundary):</p> <p>PO 3.2 Buildings mitigate overshadowing of residential development within a neighbourhood zone.</p> <p>DTS/DPF 3.2 Buildings 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 allotment boundary of a residential allotment within a neighbourhood zone as shown in the following diagram:</p> | As above, the Council does not support changes to building envelope policy | Amend building envelope policy to 30deg and include maximum building height |
| <p>PO 4.1 Consolidation of significant development sites (a site with a frontage over 25m to a primary road corridor and over 2500m2 in area, which may include one or more allotment) to achieve increased development yield provided that off-site impacts can be managed and broader community benefit is achieved in terms of design quality, community services, affordable housing provision, or sustainability features.</p> <p>DTS/DPF 4.1 Development on significant development sites up to 30% above the maximum building height specified in DTS/DPF 2.3 where it: (a) incorporates the retention, conservation and reuse of a building which is a listed heritage place or an existing built form and context that positively contributes to the character of the local area; (b) includes more than 15% of dwellings as affordable housing; or</p> | As above – NPSP is opposed to Significant Development Sites Policy | Remove significant development sites policy and replace concept plans and key development sites. |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Urban Corridor (Business)

ATTACHMENT A

| | | |
|--|--|--|
| <div>(c) includes at least:</div> <div><div>i. three of the following:</div><div>A. high quality open space that is universally accessible and is directly connected to, and well integrated with, public realm areas of the street;</div><div>B. high quality, safe and secure, universally accessible pedestrian linkages that connect through the development site;</div><div>C. active uses are located on the public street frontages of the building, with any above ground car parking located behind;</div><div>D. a range of dwelling types that includes at least 10% of 3+ bedroom apartments;</div><div>E. a child care centre; and</div><div>ii. three of the following sustainable design measures are provided: A. a communal useable garden integrated with the design of the building that covers the majority of a rooftop area supported by services that ensure ongoing maintenance;</div><div>B. living landscaped vertical surfaces of at least 50m2 supported by services that ensure ongoing maintenance;</div><div>C. passive heating and cooling design elements including solar shading integrated into the building;</div><div>D. higher amenity through provision of private open space in excess of minimum requirements by 25% for at least 50% of dwellings.</div></div> | | |
| Other Comments | | |
| There appears to be no rear access way setback policy as per current Urban Corridor - Boulevard Policy Area policy | | |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Urban Corridor (Main Street)

ATTACHMENT A

| Urban Corridor (Main Street) - Description in the <i>Guide to the P&D Code</i> |
|---|
| <p>This zone supports a mix of medium and high density urban development along main road corridors which display main street qualities (typified by highly activated, fine-grain, narrow building frontages with frequent pedestrian entry points) and provide both day-time and night-time activation.</p> |
| Urban Corridor (Main Street)- Desired Outcome |
| <p>DO 1 A safe, walkable and vibrant shopping, entertainment and commercial main street precinct with an active day and evening economy supported by medium density residential development.</p> <p>DO 2 Development with built form positively contributing to:</p> <p>(a) a streetscape that is visually interesting at human-scale comprising articulated buildings with a high level of fenestration and balconies oriented towards the street; and</p> <p>(b) a fine-grain public realm comprising buildings with active frontages that are designed to reinforce the street rhythm, that consider the facades, articulation and massing of existing buildings and any spaces between them, and provide narrow tenancy footprints at ground level.</p> |
| Urban Corridor (Main Street) - Anticipated Land Uses |
| <p>PO 1.1 A vibrant mix of land uses adding to the vitality of the area and extend activities outside shop hours including restaurants, educational, community and cultural facilities and visitor and residential accommodation.</p> <p>DTS/DPF 1.1 Development comprises one or more of the following land uses:</p> <p>(a) Apartments (b) Child Care Centre (c) Consulting Room (d) Dwelling (e) Hotel (f) Educational Establishment (g) Licensed Entertainment Premises (h) Licensed Premises (i) Office (j) Restaurant</p> <p>(k) Shop (l) Student Accommodation (m) Supported Accommodation (n) Tourist Accommodation</p> <p>PO 1.2 Retail, office, entertainment and recreation related uses that provide a range of goods and services to the local community and the surrounding district.</p> <p>DTS/DPF 1.2 Except in the Activity Centre Subzone, shops, office or consulting room uses not exceeding a maximum gross leasable floor area of 2,000m2 in a single building.</p> <p>PO 1.3 Ground floor uses contribute to a safe, active and vibrant main street.</p> <p>DTS/DPF 1.3 Shop, restaurant, office, or consulting room uses located on the ground floor level of buildings.</p> <p>PO 1.4 Dwellings developed in conjunction with non-residential uses to support business, entertainment and recreational activities that contribute to making the main street locality and pedestrian thoroughfares safe, walkable, comfortable, pleasant and vibrant places.</p> <p>DTS/DPF 1.4 Dwellings developed in conjunction with non-residential uses sited:</p> <p>(a) at upper levels of buildings with non-residential uses located at ground level; or</p> <p>(b) behind non-residential uses on the same allotment.</p> <p>PO 1.5 Development of diverse medium density accommodation options either as part of a mixed use development or wholly residential development.</p> <p>DTS/DPF 1.5 Residential development (other than residential development in a mixed use building) achieves a minimum net residential density of at least 70 dwellings per hectare.</p> <p>PO 1.6 Land uses promote movement and activity during daylight and evening hours, including restaurants, educational, health, community and cultural facilities, and visitor and residential accommodation.</p> <p>DTS/DPF 1.6 None are applicable.</p> |
| Restricted Development |
| <p>Industry (except Light Industry)</p> |



DETAILED ZONE ANALYSIS AND RECOMMENDATIONS
Urban Corridor (Main Street)

| Replacing NPSP Zones: |
|---|
| District Centre (Norwood) <i>Policy Areas: Retail Core, The Parade East, The Parade West</i> Urban Corridor - High Street Policy Area only |
| NPSP Zone Objectives |
| <p><u>District Centre (Norwood)</u></p> <p>Objective 1: A centre that accommodates a range of retail facilities, offices, consulting rooms, and cultural, community, public administration, entertainment, educational, religious and residential facilities to serve the community and visitors within the surrounding district.</p> <p>Objective 2: Development of a visually and functionally cohesive and integrated district centre.</p> <p>Objective 3: Integrated, mixed-use, medium rise buildings with ground floor uses that create active and vibrant streets with commercial and/or residential development above.</p> <p>Objective 4: Buildings sited to provide a continuous and consistent low-scale building edge with verandahs/awnings over the public footpath and buildings designed with frequently repeated frontage form and narrow tenancy footprints.</p> <p>Objective 5: Amalgamation of allotments into larger sites to optimise co-ordinated development options for the land, particularly where it will facilitate a cohesive built form, maximise shared car parking arrangements and minimise the number of vehicle access points.</p> <p>Objective 6: Development that contributes to the desired character of the zone.</p> <p>The Parade West Policy Area Objective 1</p> <p>Objective 1: Development providing specialty shops, restaurants, cafes and offices, with opportunities for residential development above ground level.</p> |
| <p><u>Urban Corridor - (High St) Policy Area</u></p> <p>Objective 1: A mix of land uses including retail, office, commercial, community, civic and medium and high density residential development that support the economic vitality of the area.</p> <p>Objective 2: Buildings sited to provide a continuous and consistent built edge with verandahs/ awnings over the public footpath and an intimate built scale, with fine-grained detailing of buildings in the public realm.</p> <p>Objective 3: An interesting and varied skyline as viewed from the street and afar, provided by modulation in roof forms and the use of parapets.</p> <p>Objective 4: An intimate public realm with active streets created by buildings designed with frequently repeated frontage form and narrow tenancy footprints.</p> <p>Objective 5: A high degree of pedestrian activity and a vibrant street-life with well-lit and engaging shop fronts and business displays including outdoor dining facilities and licensed areas.</p> <p>Objective 6: Development that contributes to the desired character of the policy area.</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Urban Corridor (Main Street)

ATTACHMENT A

| Changes and Recommendations - Urban Corridor (Main Street) - Some key issues (not an exhaustive list) | |
|--|---|
| Objectives / Desired Outcome | <ul style="list-style-type: none"> - The NPSP and Code objectives are relatively consistent although the NPSP objectives are much more comprehensive - NPSP objective has more specific policy regarding canopies/verandahs over the footpath but this is reflected in Code policy (DPF 2.4) rather than the DO - District Centre (Norwood) - The Parade West Policy Area Objective 1 and Desired Character Statement anticipate a lower intensity and smaller scale of development than the Retail Code Policy Area e.g. specialty shops and 2 storey max development |
| Anticipated Land Uses | <ul style="list-style-type: none"> - District Centre (Norwood) specifically does <i>not</i> anticipate nightclubs, discotheques, adult entertainment premises but this is not reflected in the Code policy - District Centre Zone does <i>not</i> anticipate a nursing home, but does anticipate aged persons accommodation. This isn't reflected in Code policy - The term 'Apartments' is not defined and is unnecessary if 'dwellings' are anticipated – the policy can articulate in what form dwellings are appropriate |
| Non-Complying / Restricted | <p>There is a meaningful decrease in the list of non-complying/restricted land uses in the Suburban Neighbourhood Zone compared to the NPSP Zones.</p> <ul style="list-style-type: none"> - Petrol filling station is non-complying in both NPSP Zones but is not restricted in the Code - Nursing home, adult entertainment premises, and adult products and services premises are all non-complying in the DCE(Nwd) Zone but are not restricted in the Code |
| Comments | The Urban Corridor (Main Street) Zone does not provide policies consistent with current The Parade West Policy Area due to the scale and scope of development anticipated |
| Recommendations for Desired Outcomes, land use and spatial application: | |
| <ul style="list-style-type: none"> - The Parade West Policy Area should be rezoned to Suburban Main Street Zone rather than the Urban Corridor (Main Street) Zone - Reconsider anticipated land uses as per comments above - Consider existing non-complying land uses in District Centre (Norwood) Zone | |

| Zone Policy | Comment | Recommendation |
|---|---|---|
| <p>PO 1.1 A vibrant mix of land uses adding to the vitality of the area and extend activities outside shop hours including restaurants, educational, community and cultural facilities and visitor and residential accommodation.</p> <p>DTS/DPF 1.1 Development comprises one or more of the following land uses:</p> <p>(a) Apartments (b) Child Care Centre (c) Consulting Room (d) Dwelling (e) Hotel (f) <u>Educational Establishment</u> (g) Licensed Entertainment Premises (h) Licensed Premises (i) Office (j) Restaurant (k) Shop (l) Student Accommodation (m) <u>Supported Accommodation</u> (n) <u>Tourist Accommodation</u></p> | <p>As per comments above – reconsider the inclusion of both 'apartments' and 'dwelling'</p> <p>The underlined uses aren't included in Table 3</p> | <p>Include anticipated land uses in Table 3</p> |
| <p>PO 1.5 Development of diverse medium density accommodation options either as part of a mixed use development or wholly residential development.</p> <p>DTS/DPF 1.5 Residential development (other than residential development in a mixed use building) achieves a minimum net residential density of at least 70 dwellings per hectare.</p> | <p>The proposed dwelling density is consistent with the NPSP policy for the High Street Policy Area, but less than that anticipated for the District Centre (Norwood) Zone</p> <p>District Centre PDC 6 Where residential accommodation above ground floor level non-residential uses is proposed, the average floor area of the residential component should not exceed 100 square metres per dwelling.</p> <p>Urban Corridor PDC 5 Policy Area Minimum net residential site density High Street 70 dwellings per hectare</p> | <p>It is recommended that a maximum floor area is used rather than dwellings per hectare to simplify calculations for mixed use developments.</p> |

DETAILED ZONE ANALYSIS AND RECOMMENDATIONS

Urban Corridor (Main Street)

ATTACHMENT A

| | | |
|---|--|--|
| <p>PO 2.6 Building height consistent with the form expressed in the <i>Maximum Building Height Levels Technical and Numeric Variation Overlay</i> and the <i>Maximum Building Height Metres Technical and Numeric Variation Overlay</i> and positively responds to the local context including the site's frontage, depth, and adjacent primary corridor or street width. DTS/DPF 2.6 Building height is not greater than any maximum, or less than any minimum, specified in the <i>Maximum Building Height Levels Technical and Numeric Variation Overlay</i>, the <i>Maximum Building Height Metres Technical and Numeric Variation Overlay</i>, or the <i>Minimum Building Height Levels Technical and Numeric Variation Overlay</i>.</p> | <p>TNV for building height applied to the area which is currently District Centre (Norwood) – The Parade West Policy Area has 2 maximum building heights: 2 storey and 3 storey. Correct policy is 2 storey (Parade West PDC 3)</p> <p>TNV for minimum building height applied to the area which is currently UrC – High Street Policy Area is missing - should be 3 storeys</p> | <p>Amend TNV max building height applicable to current The Parade West Policy Area to 2 storeys</p> <p>Add TNV minimum building height applicable to current UrC – High St Policy Area - 3 storeys</p> |
| <p>PO 3.1 Buildings mitigate visual impacts of building massing on residential development within a neighbourhood zone, except where this DTS/DPF 3.1 Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3 metres above natural ground level at the allotment boundary of a residential allotment within a neighbourhood zone as shown in the following diagram (except where this boundary is a southern boundary in which case DTS/DPF 3.2 will apply, or where this boundary is the primary street boundary):</p> | <p>As above – NPSP is opposed to the 45deg building envelope policy</p> | <p>Reduce to 30deg building envelope and reference maximum building height in the building envelope policy</p> |
| <p>PO 4.1 Consolidation of significant development sites (a site with a frontage over 25m to a primary road corridor and over 2500m2 in area, which may include one or more allotment) to achieve increased development yeild provided that off-site impacts can be managed and broader community benefit is achieved in terms of design quality, community services, affordable housing provision, or sustainability features. DTS/DPF 4.1 Development on significant development sites up to 30% above the maximum building height specified in DTS/DPF 2.6 where it: (a) incorporates the retention, conservation and reuse of a building which is a listed heritage place or an existing built form and context that positively contributes to the character of the local area; (b) includes more than 15% of dwellings as affordable housing; or (c) includes at least: i. three of the following: A. high quality open space that is universally accessible and is directly connected to, and well integrated with, public realm areas of the street; B. high quality, safe and secure, universally accessible pedestrian linkages that connect through the development site; C. active uses are located on the public street frontages of the building, with any above ground car parking located behind; D. a range of dwelling types that includes at least 10% of 3+ bedroom apartments; E. a child care centre; and ii. three of the following sustainable design measures are provided: A. a communal useable garden integrated with the design of the building that covers the majority of a rooftop area supported by services that ensure ongoing maintenance; B. living landscaped vertical surfaces of at least 50m2 supported by services that ensure ongoing maintenance; C. passive heating and cooling design elements including solar shading integrated into the building; D. higher amenity through provision of private open space in excess of minimum requirements by 25% for at least 50% of dwellings.</p> | <p>As above NPSP is opposed to significant development sites</p> | <p>Remove significant development sites policy and replace concept plans and key development sites.</p> |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

The NPSP Development Plan includes a comprehensive suite of residential development policies, many of which were introduced in the Council's *Residential Development (City Wide Policy) DPA* in 2011. The policy intent of many of these NPSP policies is reflected in similar policies in the Code, however there are some key areas where the Code is lacking policy or would result in different, and less desirable, outcomes. A summary of the most significant policy gaps are discussed below, with more detailed comparisons and recommendations contained in the table below. The table is colour coded to indicate the significance of the policy gap (as outlined above the table).

Lack of Strategic Policies

A significant side effect of the Code framework requiring policies to be very specifically applied to particular development types is a move away from more general, but important strategic policies. For example **NPSP City Wide Objective 57:**

Increased dwelling densities in areas close to centres, public transport and significant public open spaces.

These types of strategic policies are useful in providing context for how other policies should be interpreted and applied, particularly in large zones such as the General Neighbourhood Zone.

Laneway Development

The Code contains no general policies relating to development adjacent laneways. This results in a significant policy gap:

- The NPSP Development Plan contains clear policy regarding which laneways can/cannot serve as a primary frontage for dwellings. This policy was included to ensure dwellings have appropriate access to essential infrastructure services (including stormwater systems), mail delivery, waste collection, on-street parking and safe and convenient pedestrian access including street lighting.
- In terms of rear access, the NPSP Development Plan allows design alternatives, reduced frontage widths etc for dwellings which have rear laneway vehicle access and prioritises laneway access rather than primary street access in Historic (Conservation) Zones
- Both the *Development Regulations* and the NPSP Development Plan contain requirements for vehicle access from laneways by specifying minimum setbacks between carports/garages and the opposite side of the lane. It is very concerning that this has been omitted from the Code

Hammerhead/ battle-axe Development

Appropriate location of hammerhead development

- NPSP City Wide PDC 189 states that hammerhead development should only occur where it is specifically envisaged in the zone. Many Code zones do not sufficiently articulate whether or where hammerhead development is appropriate but this type of development can have a detrimental impact on the land division pattern and landscaped pattern of a locality, as well as detrimentally impact the amenity of adjacent property occupants. Clearer policy on this issue is required.

Vehicle access

- Under the Code policies, a single dwelling on a hammerhead allotment does not require vehicle manoeuvring on site i.e. any vehicles would need to reverse down a potentially long driveway (typically ~30m). This should be amended so that any hammerhead development requires on-site reversing so all vehicles can leave in a forward direction.
- A common driveway servicing 3 or more dwellings should have a 6m x 6m entrance point. Under Code policy this is only required for arterial roads which is insufficient.
- A common driveway servicing 3 or more dwellings should also have a wider driveway for the duration of the driveway, not just passing space.

Setbacks

- The NPSP Development Plan requires hammerhead developments to be setback from side and rear boundaries: 2.5m from single storey walls and 4.5m from upper level walls. Standard setbacks are appropriate for typical side-by-side dwellings or outbuildings, but are not appropriate for dwellings which are adjacent to neighbouring private open space.

Building Height

- NPSP PDC 201 states that dwellings at the rear on a hammerhead allotment should be single storey, unless the zone policies specifically anticipate two storey for these buildings, or the locality is predominately greater than one storey. There is no similar policy in the Code

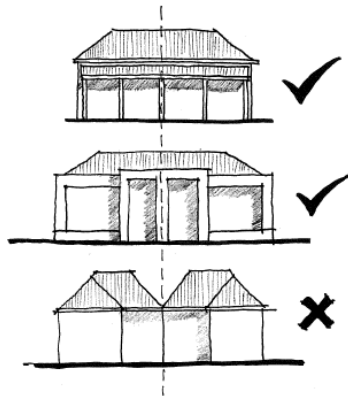
Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

Design of Semi-detached dwellings

The Code should be amended to include the following policies:

- Semi-detached dwellings should be designed with a single, integrated built form i.e. single roof form and integrated features.



- Garages for semi-detached dwellings should not be side by side wherever practical to preserve on-street parking, allow for coordinated front landscaping and contribute to the integrated built form.

General Development Policies – setbacks & site coverage

Not all Code zones include setback and site coverage policies e.g. Housing Diversity Neighbourhood Zone doesn't have a site coverage and General Neighbourhood doesn't have a side setback policy. The Code would benefit from general policies to manage setback and site coverage, particularly policies such as NPSP City Wide PDC 206 which states that side and rear setbacks should increase as wall height increases.

Boundary Development

The Code policies relating to ancillary development and boundary development generally allow for boundary walls up to 10m long compared to 8m long as per current NPSP policies and requirements in the *Development Regulations*. A length of 10m is likely to have an unreasonable impact in many residential situations so should be amended to 8m. Boundary walls longer than 8m can be assessed on their merits in the context of the situation.

Ancillary Development, Garages & Carports

The Code policies allow some deemed-to-satisfy ancillary structures to be up to 60m² but other policies require all ancillary structures to have a total roofed area limit of 60m². These policies are not cohesive and the total roof area limit is not supported. The cumulative roof area limit should be managed through site coverage, provision of minimum POS, and soft landscaping.

It is recommended that the Code policies relating to garaging should be amended to:

- Require a minor façade projection (e.g. portico) where the garage is flush with the building line
- Limit garage width to 40% of the site frontage in Historic Area Overlays
- Amend residential parking space dimensions to be consistent with NPSP PDC 212: *Garages and carports should have a minimum dimension (internal dimensions for a garage) for the siting of vehicles and access into and out of vehicles of 3 metres by 6 metres for one vehicle or 5.8 metres by 6 metres for two vehicles.*
- Ensure that all vehicle access transitions occur on private land, not over public land

Open Space

The private open space provisions in the Code are not supported for the following reasons:

- Private open space should not be located (or at least not encouraged) in front of the dwelling. This often results in poor linkages to internal living spaces and requires high front fencing which is detrimental to streetscapes, passive surveillance and social interaction.
- The minimum dimension and areas for POS are considered to be largely insufficient, particularly where the prescribed site coverage equates to as low as 8% of the site area.

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

- NPSP PDC 229 requires 50% of the POS to remain open to the sky – this policy works well and should be implemented in the Code

Additional policies are required to articulate what is acceptable with respect to communal open space as per NPSP PDC 231 & 232 – e.g. no private streets, parking areas, storage areas etc

Privacy

NPSP and at least 7 other inner metro councils have policies requiring 1.7m sill heights so the proposed 1.5m sill heights are not supported. Other concerns relating to privacy policies include:

- the Code allows for POS in the front yard but DiUA Res Development – 3 building levels or less PO 19.1 only requires screening on side and rear facing windows. This could lead to overlooking from front windows into POS
- PO 19.1 only appears in the NPSP applicable zone classification tables for residential uses, not non-residential uses (e.g. office) but in mixed use zones non-residential uses could overlook residential properties.
- PO 19.1 should be reworded - Part (d) doesn't work because the beginning of the policy references *upper level windows* whereas part (d) relates to balconies or terraces
- There should be limit on the size of balconies and terraces, at least for DTS development to avoid opportunities for overlooking but also the perception of loss of privacy due to high levels of activity on adjacent balconies
- Balconies could be further than 15m away from POS (e.g. 16m) and still obtain views
- The Code should include design policies relating to external screening devices

Noise & Amenity

The *Noise & Air Emissions Overlay* only applies in NPSP in Urban Corridor Zones. There does not appear to be a more general policy, or at least a DTS requirement, regarding noise attenuation for residential properties on main roads as per NPSP PDC 237 and PDC 238. Either additional policies should be added or the *Noise & Air Emissions Overlay* should apply to arterial roads.

The Code does not address the placement of air conditioners. Air conditioners are one of the primary sources of complaints under the *Local Nuisance and Litter Control Act*. While most residential air conditioners don't require approval, some units do but also dwellings should be designed to accommodating air conditioners in a location which minimises impacts on neighbours. Commonly there is maximum 900mm on the side of the dwelling so air conditioners are mounted above fence level for ventilation, resulting in a directly adjacent noise issue for neighbours. Interface between land uses PO 4.3 should include reference to air conditioners, and all detached and semi-detached dwellings should be required to provide a small service courtyard to facilitate air conditioners, hot water services, and/or bin storage and the like.

Dependent & Aged Accommodation

- NPSP PDC 246 provides specific policy guidance for depending accommodation (e.g. granny flats). Ancillary accommodation is defined in the Code, but there are no applicable policies. There are policies relating to ancillary development but this relates to outbuildings etc
- NPSP PDC 247 – 251 provides more comprehensive policy guidance for aged accommodation which should be reflected in the Code

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

Policy Comparison Table legend:

Red = Significant policy gap where Development Plan policy is not reflected in the Code

Orange = Insufficient detail or specificity in the Code policy to replace Development Plan policy

Green = different policy expression but intent of development outcomes is similar

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| <p>Residential Development Objective 56 An increased mix in the range and number of dwelling types available within the City to cater for changing demographics, particularly smaller household sizes, housing for seniors and supported accommodation.</p> <p>Residential Development Objective 57 Increased dwelling densities in areas close to centres, public transport and significant public open spaces.</p> | <p>General Neighbourhood DO 1 Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of a diversity of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.</p> <p>Housing Diversity Neighbourhood DO 1 Low-rise medium density housing that supports a range of needs and lifestyles located within easy reach of a diversity of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.</p> <p>Suburban Neighbourhood DO 1 Low or very low-density housing that is consistent with the existing local context and development pattern. Services and community facilities will contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character</p> |
| <p>It is noted that density and dwelling type are articulated at the zone level, however the Code lacks a broader strategic policy supporting increased densities close to transport/centres etc. Some of the zones cover large areas so it is better to articulate more specifically where you anticipate higher densities, so as to better coordinate the location of higher densities and provision of infrastructure.</p> | |
| <p>Residential Development General PDC 177 Residential development should minimise the potential for personal and property damage arising from natural hazards including landslips, bushfires and flooding.</p> <p>City-Wide Hazards Objective 49 Development located away from areas that are vulnerable to, and cannot be adequately and effectively protected from the risk of natural hazards.</p> <p>Objective 50 Maintenance of the natural environment and systems by limiting development in areas susceptible to natural hazard risk.</p> | <p>Design in Urban Areas ALL RESIDENTIAL DEVELOPMENT Flooding PO 17.1 Residential accommodation 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 17.1 Residential accommodation has a ground finished floor level 300mm above the top of the kerb level of the primary street.</p> <p>Hazards (Flooding) Overlay DO 1 Minimise impacts on people, property, infrastructure and the environment from exposure to flood hazard risk through limitation of development intensification.</p> |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| <p>Objective 51 Development located and designed to minimise the risks to safety and property from flooding</p> <p>PDC 167 Development should be excluded from areas that are vulnerable to, and cannot be adequately and effectively protected from, the risk of hazards</p> <p>PDC 168 Development located on land which is subject to hazards should not occur unless it is sited, designed and undertaken in association with appropriate precautions against the relevant hazards.</p> <p>Flooding PDC 169 Development, including earthworks associated with development, should not: (a) be adversely affected by flooding or inundation; (b) impede the flow of floodwaters through the land or the surrounding land; (c) increase the risk of flooding of other land; (d) adversely affect the level of flood waters on adjoining properties; (e) obstruct a watercourse; (f) aggravate the potential for erosion or siltation or lead to the destruction of vegetation during a flood; (g) occur on land where the risk of flooding is likely to be harmful to safety or damage property; or (h) increase the potential hazard risk to public safety of persons during a flood event.</p> <p>PDC 170 No new buildings or structures, or extensions to existing buildings or structures, or portions thereof, should be constructed within any site which is at or below the principal flow path level of the 1 in 20 year Average Recurrence Interval floodplain.</p> <p>PDC 171 The finished ground floor level of all habitable spaces should not be less than 300 millimetres above the 1 in 100 year Average Recurrence Interval floodplain</p> | <p>Land Division in Urban Areas DO 1 Land division that:... (f) avoids areas of high natural hazard risk.</p> |
| <p>The Council holds several concerns regarding the transition of flood policies to the Code. For comprehensive comments, refer to the Council's submission on Phase 2 of the Code, also contained in ATTACHMENT X of this submission. In summary, the Council's concerns include:</p> <ul style="list-style-type: none"> the Hazards (Flood) Overlay does not capture current flooding data used by the Council and supplied to DPTI. As a result, numerous properties affected by flood risk are not included in the proposed Overlay and therefore none of the Overlay policies can be applied to these properties; | |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| <ul style="list-style-type: none"> outside of the Overlay, the only prescriptive flooding policy only applies to residential development and only refers to kerb level which holds no relationship to AEP/ARI flood depths or risk As currently drafted, development proposed for properties affected by flood risk which are not captured by the Overlay will need to be assessed without <i>any consideration of flood risk</i> resulting in structures approved with insufficient finished floor levels and within flood flowpaths, the Development Plan contains a comprehensive suite of detailed City Wide flood policies, which can be applied as and when necessary to properties which are in a flood risk area. This will be lost in the transition to the Code unless significant changes are made to the Overlay and general development policies. | |
| Residential Development General PDC 179 All dwellings should have frontage to a road but not including a lane shown on Map NPSP/1 (Overlay 4) . | Land Division in Urban Areas ALL LAND DIVISION Design and Layout PO 2.3 Land division maximises the number of allotments that face public open space and public streets. Land Division in Urban Areas ALL LAND DIVISION Roads and Access PO 3.1 Land division provides allotments with access to a public road. |
| The Code does not provide any (or at least any relevant) policy relating to development facing laneways. The purpose of the above NPSP policy is to ensure dwellings have access to essential infrastructure services, as well as mail delivery, waste collection, on-street parking and safe and convenient pedestrian access including street lighting. | |
| Residential Development Residential Character and Identity PDC 180 Residential development adjacent to a Residential Historic (Conservation) Zone, should form a transition between the Residential Historic (Conservation) Zone and the adjacent Zone and should be of a bulk and scale that complements the built form within the Residential Historic (Conservation) Zone. | N/A |
| No similar policy in the Code – other than policies in mixed use or non-res zones which require reduced heights on zone boundaries | |
| Residential Character and Identity PDC 184 No more than half of the open space (the area excluding all buildings and structures) around: <ol style="list-style-type: none"> a dwelling located on a battleaxe allotment, hammerhead allotment or an allotment of a similar configuration; a residential flat building; or group dwellings; should be used for uncovered car parking, vehicle manoeuvring areas and driveways. | N/A |
| There is a policy regarding permeability for WSUD purposes but this could include car parking areas | |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| Residential Development Land Division PDC 187 Residential allotments or sites should not be created where they will use a laneway (including service lane), or other minor or unserviced street shown on Map NPSP/1 (Overlay 4) as their primary frontage. | No similar policy in Code |
| As above, the Code lacks policies dealing with laneway access | |
| Residential Development Land Division PDC 188 Residential allotments or sites in the form of a battleaxe, hammerhead or similar configuration should only be created if they are envisaged in the relevant part of the zone or policy area. | N/A |
| Zone policy ordinarily indicates what types of dwellings are anticipated, by virtue of specifying dwelling types in a PO or in the Classification Tables, but a more general policy such as this would clarify that if the Zone is silent on hammerhead development, it is not appropriate. | |
| Residential Development Land Division PDC 189 Residential allotments or sites in the form of a battleaxe, hammerhead or similar configuration, (including those accommodating group dwellings), should: <ul style="list-style-type: none"> (a) contain sufficient area on the development site, excluding area/s designated as covered and uncovered carparking spaces, for a vehicle to turn around and enable it to egress the allotment in a forward direction; (b) be capable of draining stormwater efficiently, without the need to excessively raise the floor or bench level of the development; (c) in the case of a battleaxe allotment, have the driveway 'handle' located adjacent to the site boundary; and (d) in relation to the driveway servicing dwellings to the rear of the allotment or site: <ul style="list-style-type: none"> (i) have a driveway 'handle' length of no more than 35 metres and a width of no less than 4 metres and not more than 6 metres; (ii) the driveway 'handle' should have a vehicle carriageway of no less than 3 metres in width for a site that accommodates up to two dwellings and no less than 6 metres in width for at least the first 6 metres and 5 metres in width thereafter, for a site that accommodates three or more dwellings (Refer to Figure 4). A reduced paved area width of not less than 2.8 metres may be considered if any existing dwelling is retained; and (iii) the driveway 'handle' should incorporate a combined total width of 1 metre of | Design in Urban Areas Car parking, access and manoeuvrability PO 33.3 Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability of the types of vehicles that are reasonably anticipated. DTS / DPF 33.3 Battle-axe driveways and driveways that service more than one dwelling satisfy the following: <ul style="list-style-type: none"> (a) a width of 3m or more; (b) for driveways servicing three or more dwellings which exceed 30m in length, incorporate a least one vehicle passing point with a width of 5m or more and a length of 6m or more, and an additional passing point at least every 30m thereafter; (c) locate the passing point in (b) within 12m of the primary street boundary; and (d) a width of 5m or more for at least the first 6m from the primary street boundary where located on an arterial road. PO 33.4 Driveways that service <u>more than one dwelling</u> are designed to allow passenger vehicles to enter and exit the site in a safe and convenient manner. DTS / DPF 33.4 Driveways providing access to more than one dwelling allow a B85 passenger vehicle to enter and exit all dedicated car parks and garages in a forward direction without requiring more than a 2-point-turn manoeuvre. Landscaping PO 34.1 |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

Good Residential Design – Comparison of NPSP Development Plan with Code

Development Plan City Wide Residential Development Policy

landscaping along the length of the driveway 'handle' unless the driveway abuts unfenced areas of landscaping;

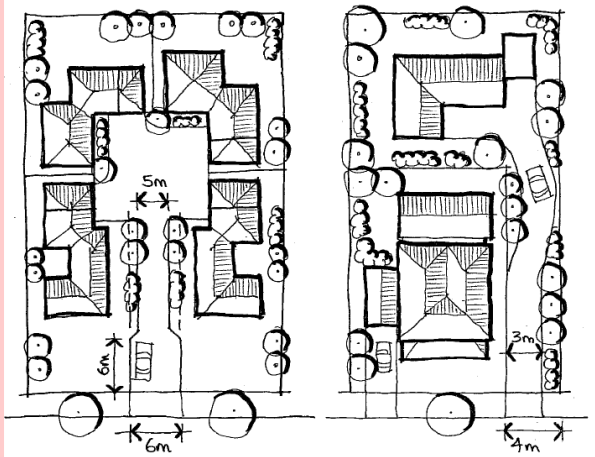


Figure 4

Code Equivalent

Landscaping is provided between dwellings and common driveways to improve the outlook for occupants and improve the appearance of common areas.

DTS/ DPF 34.1

Other than where located directly in front of a garage or directly adjacent a building entry door, soft landscaping with a minimum dimension of 1m is provided between a dwelling and common driveway.

PO 34.2

Landscaping is provided that improves the appearance of common driveways.

DTS / DPF 34.2

Where a common driveway is located directly adjacent the side or rear boundary of the site, soft landscaping with a minimum dimension of 1m is provided between the driveway and site boundary (excluding along the perimeter of a passing point required in DTS 34.3).

Design in Urban Areas

RESIDENTIAL DEVELOPMENT - 3 BUILDING LEVELS OR LESS

Water Sensitive Design

PO 22.1

Residential development designed to capture and re-use stormwater to:

- (a) maximise conservation of water resources;
- (b) manage peak stormwater runoff flows and volume to ensure the carrying capacities of downstream systems are not overloaded; and
- (c) manage stormwater runoff quality.

DTS / DPF 22.1

Residential development in the form of:

- (a) hammerhead dwellings have driveways and pathways constructed of a minimum of 50% permeable or porous material and include a retention rainwater tank storage:
 - i. connected to at least 60% of the roof area of the dwelling;
 - ii. connected to all toilets and either the laundry cold water outlets or hot water service; and
 - iii. that has a minimum total capacity in accordance with Table 2.

Table 2: Retention Rainwater Tank Option

Earthworks

PO 7.1

Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.

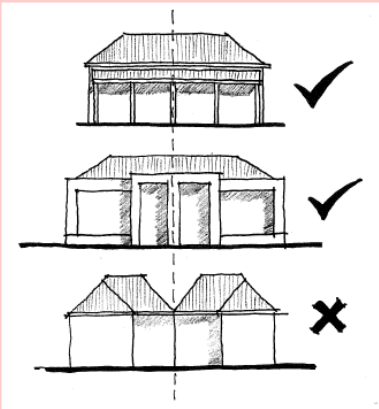
DTS / DPF 7.1

Development does not involve either:

Policy Loss at City Wide Level

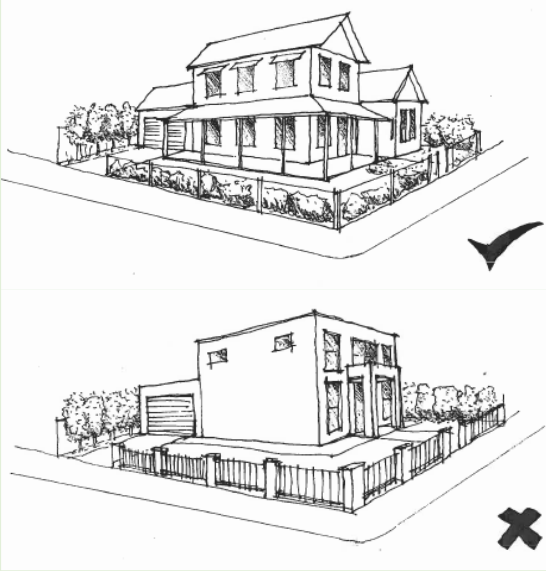
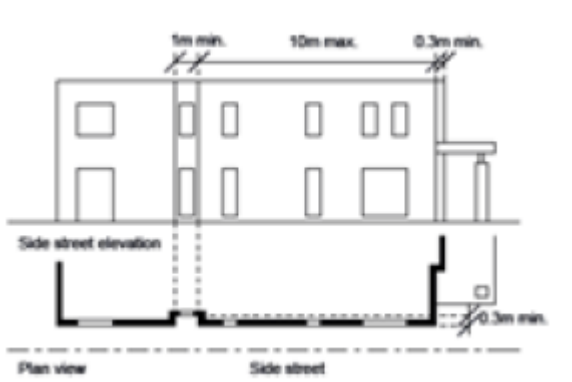
Residential Development Policies

ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| | (a) excavation exceeding a vertical height of 1m; (b) filling exceeding a vertical height of 1m; or (c) a total combined excavation and filling vertical height of 2m or more. |
| <ul style="list-style-type: none"> The Code does not appear to have a similar policy regarding avoiding unnecessary build up for stormwater disposal – however there is PO 7.1 re: max 1m fill and WSUD requirements. Fill up to 1 metre is considered excessive DTS 33.3(b) only requires passing points of 5m wide for driveways which exceed 30m, rather than the whole driveway being 5m wide as per NPSP policy <ul style="list-style-type: none"> In Code policy, wider entrance points are only required on arterial roads Only developments with more than one dwelling require cars to be able to exit in a forward direction <p>The Code policy regarding vehicle access for battleaxe/hammerhead and common driveway developments are not supported for the following reasons:</p> <ul style="list-style-type: none"> Developments with one dwelling on a hammerhead allotment should facilitate on-site manoeuvring and exiting in a forward direction. It is impractical and unsafe to have occupants reversing down lengthy driveways. For developments containing 3 or more dwellings, 6m wide driveway entrance points and 5m wide driveways thereafter are recommended, as per NPSP policy, in the interests of practical and safe access. Requiring wide access points on arterial roads only is not supported | |
| Residential Development Design and Appearance PDC 190 The roof form and design of semi-detached dwellings in localities where the predominant dwelling type is detached dwellings should achieve the form of a single integrated building (Refer to Figure 5) and be of a bulk and scale that is consistent with the predominant pattern of development. | No similar policy in the Code |
|  <p style="text-align: center;">Figure 5</p> | |
| This NPSP policy achieves much higher quality streetscape and design outcomes and should be included in the Code. | |
| Residential Development Design and Appearance PDC 192 Dwellings on corner sites should address both the primary and secondary street frontages and should be designed and sited so that the dwelling facade on the secondary street frontage includes visible | Design in Urban Areas ALL DEVELOPMENT External Appearance PO 1.1 Buildings that reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope). |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| <p>articulation and detail, which complements the secondary streetscape (Refer to Figure 6).</p>  <p style="text-align: center;">Figure 6</p> | <p>DTS 1.1 None are applicable.</p> <p>PO 1.2 Where zero or minor setbacks are desirable, development provides shelter over footpaths to positively contribute to the walkability and comfort of the public realm</p> |
| <p>The intent of this policy is met, however consider including a figure such as Figure 6 in the NPSP Development Plan. This has been a useful tool in communicating with applicants.</p> | |
| <p>Residential Development Design and Appearance PDC 193 Dwellings should be designed and sited to minimise the impact of the building's bulk when viewed from the private open space of adjacent sites by:</p> <ul style="list-style-type: none"> (a) increasing setbacks on upper levels of buildings in order to achieve greater separation from neighbouring private open space; and (b) using articulation, colour, materials and detailing. | <p>Design in Urban Areas RESIDENTIAL DEVELOPMENT - 3 BUILDING LEVELS OR LESS External appearance PO 18.3 The apparent mass of larger buildings is reduced when viewed from adjoining allotments or public streets.</p> <p>DTS/DPF 18.3 Buildings of 2 or more building levels and a length exceeding 20m adjacent a secondary street or side boundary incorporate a step back of the building façade of more than 300mm for a minimum length of 1m, at least every 10m</p>  |
| <p>It is recommended that DPF 18.3 is amended to address issues of visual bulk and scale for all large buildings, not just 2 or more storeys.</p> | |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| Residential Development Design and Appearance PDC 195 Unless otherwise specified in the relevant Zone and/or Policy Area, development should ensure that the north-facing windows of habitable rooms of dwelling(s) on adjacent sites receive at least 3 hours of direct sunlight over a portion of their surface and in the case of the main living area windows, a minimum of 50% of their surface, between 9am and 5pm on the winter solstice (21 June). Development should not increase the overshadowed area in cases where overshadowing from existing structures, fences and non-deciduous vegetation already exceeds this requirement. | Interface between land uses Overshadowing PO 3.1 Overshadowing of habitable room windows of adjacent residential land uses not unreasonably interrupted to maintain access to direct winter sunlight. DTS/DPF 3.1 North-facing windows of habitable rooms of adjacent residential land uses receive at least 3 hours of direct sunlight over their surface between 9.00 am and 3.00 pm on 21 June. |
| It is recommended that PDF 3.1 quantify how much of the window surface should have access to sunlight – e.g. 50% | |
| Residential Development Design and Appearance PDC 196 Unless otherwise specified in the relevant Zone and/or Policy Area, development should ensure that at least half of the ground level private open space of existing dwelling(s) receive direct sunlight for a minimum of two hours between 9.00am and 3.00pm on 21 June. Development should not increase the overshadowed area in cases where overshadowing already exceeds these requirements. | Interface between land uses Overshadowing PO 3.2 Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses not unreasonably interrupted to maintain access to direct winter sunlight. DTS/DPF 3.2 Development maintains 2 hours direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in accordance with the following: (a) for ground level private open space, the smaller of the following: (i) half of the existing ground level open space; or (ii) 35m² 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. |
| It is recommended that DPF 3.2 be amended to remove reference to 35m ² , it should be to 50% as a minimum | |
| Residential Development Design and Appearance PDC 201 The height of a dwelling/s sited behind a dwelling/s fronting a public road on a battleaxe, hammerhead or similar configuration allotment or site (including those accommodating group dwellings) should not exceed one storey, nor should the dwelling contain a second storey in the roof space, except where: (a) the predominant height of the surrounding existing dwellings is greater than one storey. In this instance the development should not be more than two storeys above the natural ground level; or (b) a height greater than one storey is envisaged in the zone or policy area for such dwellings. | Design in Urban Areas GROUP DWELLINGS, RESIDENTIAL FLAT BUILDINGS AND BATTLE-AXE DEVELOPMENT PO 31.2 The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours. DTS / DPF 31.1 None are applicable. |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| <p>This NPSP policy is considered important in maintaining amenity for adjacent occupants. Hammerhead/group dwellings can have significant impacts on adjacent occupants and limiting rear dwellings to single storey in lower density areas substantially limits this impact. Recommend including similar policy in the Code.</p> | |
| <p>Residential Development Design and Appearance PDC 202 The distance between any portion of a single-storey dwelling or any single-storey component of a two storey dwelling (including a verandah, garage or carport, which is an integrated part of the development) on a battleaxe, hammerhead or similar configuration allotment or site (including those accommodating group dwellings), and a side or rear boundary of the parent development site, should be no less than 2.5 metres.</p> <p>Residential Development Design and Appearance PDC 203 The distance between any two-storey component of a dwelling on a battleaxe, hammerhead or similar configuration allotment, and the side or rear boundary of the parent development site, should be no less than 4.5 metres.</p> | Can't find a similar policy |
| <p>The above NPSP policies are considered very important in mitigating impacts on neighbours and should also be included.</p> | |
| <p>Residential Development Street and Boundary Setbacks PDC 205 Where the Zone and/or Policy Area does not specify a minimum distance and where there is a consistent front set-back pattern evident within a locality, dwellings should be set back from the allotment boundary on the primary street frontage:</p> <ul style="list-style-type: none"> (a) the same distance as one or the other of the adjoining dwellings (or any distance in between), provided the difference between the setbacks of the two adjoining dwellings is not greater than 2 metres; (b) not less than the average of the setbacks of the adjoining dwellings, if the difference between the setbacks of the adjoining dwellings is greater than 2 metres; or (c) the same distance as the greater of the two adjoining dwelling setbacks, in all circumstances where a new dwelling comprising of 2 or more storeys is being introduced, and one or both of the adjoining properties are single storey. | Setback policies are generally addressed in the Code. |
| <p>A Code policy similar to the above NPSP policy should be included if any Zones do not include front setback policies</p> | |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| Residential Development Street and Boundary Setbacks PDC 206 Unless otherwise specified in the relevant Zone and/or Policy Area, the set-back of dwellings from their side and rear boundaries should be progressively increased as the height of the building increases: (a) to minimise the visual impact of the building from adjoining properties; (b) to minimise the overshadowing of adjoining properties; (c) to ensure adequate natural light and winter sunlight is available to the main activity areas and private open space of adjacent dwellings. | Can't find a similar general development policy – setbacks are generally in the zone |
| While most Code Zones include policies relating to side and rear setbacks, this general policy addresses a potential policy gap where the Zone does not specify setbacks, especially in mixed use zones | |
| Residential Development Street and Boundary Setbacks PDC 207 A wall or structure on a side or rear boundary should generally be limited to a height of 3 metres above natural ground level and a length of 8 metres. A greater height or length may be considered where: (a) there is an existing abutting boundary wall or structure on the adjoining land: or (b) there will be no unreasonable visual outlook impact or overshadowing impact on the occupants of the adjoining property. | Boundary development policies are primarily in zones however the policy generally allows 3m high and 10m long Design In Urban Areas ALL RESIDENTIAL DEVELOPMENT Ancillary Development PO 16.1 Residential ancillary buildings and structures sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties. DTS / DPF 16.1 Residential ancillary buildings and structures: (a) are not being constructed, added to or altered so that any part is situated: ... (d) if situated on a boundary (not being a boundary with a primary street or secondary street), a length not exceeding 10m unless: 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; (e) 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; (f) 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; (g) have a wall height or post height not exceeding 3m above natural ground level; |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| The increase of acceptable boundary walls to 10m (from 8m as per Development Regulations and NPSP policy) is not supported. Walls longer than 8m can be assessed on their merits in the context of the development and surrounding sites. | |
| Residential Development Site Coverage PDC 208 Site coverage should ensure that sufficient space is provided for: <ul style="list-style-type: none"> (a) front, side and rear boundary setbacks that contribute to the desired character of the area; (b) the required level of private open space and landscaping; (c) pedestrian and vehicle access and vehicle parking; (d) domestic storage; (e) outdoor clothes drying; (f) rainwater tank; and (g) convenient storage of household waste and recycling receptacles. | No site coverage policy in General Development – Site coverage is at the zone level |
| The Code should include a general site coverage policy as per NPSP policy above for instances where the zone does not have a site coverage policy – e.g. Housing Diversity Neighbourhood Zone or mixed use zones which anticipated residential development | |
| Residential Development Garages, Carports and Outbuildings PDC 209 Garages, carports and outbuildings should: <ul style="list-style-type: none"> (a) be domestic in size and nature; (b) be ancillary to and in association with a dwelling or dwellings; (c) not dominate the appearance of the dwelling from the street; (d) not detract from the visual appearance of the site as viewed from neighbouring properties due to their size and location relative to property boundaries and the siting of adjacent dwellings; and (e) not project forward of the main face of the associated dwelling. (f) not result in unreasonable overshadowing of, or visual impact from, habitable room windows of adjacent dwellings; and (g) not result in a significant loss of private open space. | Design in Urban Areas All Residential Development Ancillary Structures Residential ancillary buildings and structures sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties. DTS / DPF 16.1 Residential ancillary buildings and structures: <ul style="list-style-type: none"> (a) are not being 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); (b) in the case of a garage or carport, the garage or carport is setback at least 5.5m from the boundary of the primary street; (c) not exceeding 7m or 50% of the site frontage (whichever is the lesser) when facing a primary street or secondary street; (d) if situated on a boundary (not being a boundary with a primary street or secondary street), a length not exceeding 10m 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; |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| | <p>(e) 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;</p> <p>(f) 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;</p> <p>(g) have a wall height or post height not exceeding 3m above natural ground level;</p> <p>(h) have a roof height where no part of the roof is more than 5m above the natural ground level; and</p> <p>(i) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour.</p> <p>PO 16.2 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 16.2 Ancillary buildings and structures do not result in: (a) less private open space than specified in Design in Urban Areas Table 1 – Outdoor Open Space; (b) less on-site car parking than specified in Transport, Access and Parking Table 1 - Off-street Car Parking Requirements; and (c) the total roofed floor area of all existing or proposed ancillary building(s) or structure(s) exceeding 60m².</p> <p>RESIDENTIAL DEVELOPMENT - 3 BUILDING LEVELS OR LESS External appearance</p> <p>PO 18.1 Garaging designed to not detract from the streetscape or appearance of a dwelling.</p> <p>DTS/DPF 18.1 Garages and carports facing a street: (a) do not exceed 7m in width or 50% of the sites frontage (whichever is less); and (b) are situated so that no part of the garage or carport will be in front of any part of the building line of the dwelling (c) are setback at least 5.5m from the boundary of the primary street; and (d) unless the dwelling has two storeys along the street frontage: i. have single width car parking with a maximum garage door not exceeding 3.5m on sites with a frontage of 12m; or less ii. have a garage door not exceeding 50% of the site frontage or 7m (whichever is less) on sites with a frontage greater than 12m.</p> |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| As above, the increase in boundary development to 10m is not supported. | |
| Limiting all existing and proposed ancillary buildings to a total of 60m ² is not supported. DTS requirements allow a single outbuilding to be up to 60m ² , and the cumulative impact of outbuildings could be managed by site coverage and retention of POS. | |
| Residential Development Garages, Carports and Outbuildings PDC 210 Garages and carports should have a roof form and pitch, building materials and detailing that complement (without necessarily replicating) the associated dwelling. | N/A |
| Policy gap in the Code | |
| Residential Development Garages, Carports and Outbuildings PDC 211 Unless the desired character of an area provides otherwise, garages and carports fronting a primary street should: <ul style="list-style-type: none"> (a) be of a width that is minimised relative to the width of the dwelling frontage and in any case, should be designed with a maximum width (including the total width of any support structure) of 6.5 metres or 50 per cent (or 40 per cent in a Residential Historic (Conservation) Zone) of the allotment or building site frontage width, whichever is the lesser distance; and (b) be set back at least 0.5 metres behind the main face of the associated dwelling, unless the main face incorporates projecting elements such as a portico or verandah, in which case the garage or carport may be in line with the main face of the associated dwelling (Refer to Figure 8); and (c) be set back no less than 5.5 metres from the primary street frontage, to allow for vehicle parking. | Ancillary Development PO 16.1 Residential ancillary buildings and structures sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties. DTS / DPF 16.1 Residential ancillary buildings and structures: <ul style="list-style-type: none"> (a) are not being 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); (b) in the case of a garage or carport, the garage or carport is setback at least 5.5m from the boundary of the primary street; (c) not exceeding 7m or 50% of the site frontage (whichever is the lesser) when facing a primary street or secondary street; RESIDENTIAL DEVELOPMENT - 3 BUILDING LEVELS OR LESS External appearance PO 18.1 Garaging designed to not detract from the streetscape or appearance of a dwelling. DTS/DPF 18.1 Garages and carports facing a street: <ul style="list-style-type: none"> (a) do not exceed 7m in width or 50% of the sites frontage (whichever is less); and (b) are situated so that no part of the garage or carport will be in front of any part of the building line of the dwelling (c) are setback at least 5.5m from the boundary of the primary street; and (d) unless the dwelling has two storeys along the street frontage: <ul style="list-style-type: none"> i. have single width car parking with a maximum garage door not exceeding 3.5m on sites with a frontage of 12m; or less |

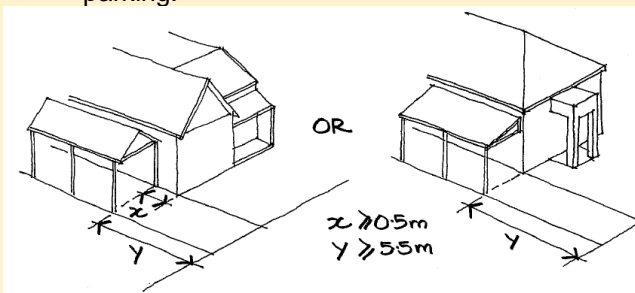


Figure 8

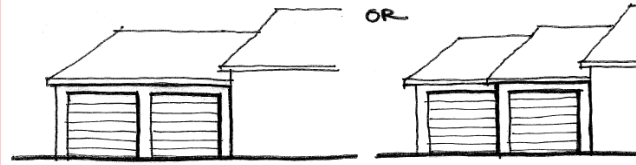
Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| | ii. have a garage door not exceeding 50% of the site frontage or 7m (whichever is less) on sites with a frontage greater than 12m. |
| <p>It is recommended that the Code policy:</p> <ul style="list-style-type: none"> require a minor projecting element where the garage or carport is flush with the main building line, as per NPSP policy include maximum 40% of frontage width in Historic Area Overlay to reduce potential visual dominance of garages in historic areas | |
| <p>Residential Development Garages, Carports and Outbuildings PDC 212 Garages and carports should have a minimum dimension (internal dimensions for a garage) for the siting of vehicles and access into and out of vehicles of 3 metres by 6 metres for one vehicle or 5.8 metres by 6 metres for two vehicles.</p> | <p>RESIDENTIAL DEVELOPMENT - 3 BUILDING LEVELS OR LESS Car parking, access and manoeuvrability PO 23.1 Covered car parking spaces are of dimensions to be functional, accessible and convenient. DTS / DPF 23.1 Covered car parking spaces: (a) where enclosed by fencing or walls, have: i. a minimum internal width of 3.2m and length of 6.0m for a single space; ii. a minimum internal width of 6.0m and length of 6.0m for a double space (side by side); and iii. a minimum internal width of 3.2m and length of 11m for a double space (tandem); or (b) where not enclosed by fencing, walls or garage doors, have: i. a minimum width of 3.0m and minimum length of 5.5m for a single space; ii. a minimum width of 5.2m and minimum length of 5.5m for a double (side by side) space; and iii. a minimum width of 3.0m and minimum length of 10.4m for a double (tandem) space</p> |
| <p>It is recommended that the Code policy:</p> <ul style="list-style-type: none"> require greater internal dimensions for an unenclosed space in part (b) – specifically a greater length to allow room in front and behind the car and increase the width of the side-by-side spaces. Simplify the policy such that the same dimensions are given and applied as the internal dimensions for a garage or the dimensions of the carport, as per NPSP policy | |
| <p>Residential Development Garages, Carports and Outbuildings PDC 213 The floor area of a garage, carport or outbuilding should generally not exceed 60 square metres. A greater floor area may be considered where it does not exceed 10% of the total site area on which the associated dwelling is situated.</p> | <p>Design in Urban Areas All Residential Development Ancillary Structures PO 16.2 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. DTS / DPF 16.2 Ancillary buildings and structures do not result in: (a) less private open space than specified in Design in Urban Areas Table 1 – Outdoor Open Space; (b) less on-site car parking than specified in Transport, Access and Parking Table 1 - Off-street Car Parking Requirements; and (c) the total roofed floor area of all existing or proposed ancillary building(s) or structure(s) exceeding 60m².</p> |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| | <i>Most accepted and DTS requirements at the zone level are max 60m2</i> |
| As above, a total roofed floor area of ancillary buildings being limited to 60m2 is not supported. | |
| Recommend allowing slightly larger outbuilding size where it is no greater than 10% of the site as per NPSP policy | |
| Residential Development Garages, Carports and Outbuildings PDC 215 Double garages or carports sited less than 7 metres from the primary street should be designed with two individual openings separated by a pier or other building element and be staggered, where practicable, to add interest to the primary street frontage (Refer to Figure 9). | No similar policy in the Code |
|  <p style="text-align: center;">Figure 9</p> | |
| There are insufficient policies relating to design of garages, particularly in the HAO and CAO. The above Development Plan policy would be particularly relevant for these Overlays. | |
| Residential Development Garages, Carports and Outbuildings PDC 216 Garaging in association with semi-detached dwellings should generally not be placed side by side. In instances, where it may be considered appropriate, the garages should be set back from the main face of the dwellings and designed to provide visual separation between each garage. | No similar policy in the Code |
| Separating driveways of semi-detached dwellings assists in: <ul style="list-style-type: none"> • Preserving on-street parking • better design outcomes for semi-detached dwellings • opportunities for larger, central landscaping areas in front yards It is recommended that a similar policy is included in the Code. | |
| Residential Development Garages, Carports and Outbuildings PDC 218 Unless otherwise stated in the relevant Zone or Policy Area, garages and carports fronting a laneway should be set back from the laneway the distance required to provide a width of 6 metres from the opposite side of the laneway to the opening of the garage/carport, to allow for appropriate vehicular manoeuvring in and out of the garage/carport. A lesser set back may be considered in circumstances where an alternative design (such as a wider opening to the garage/carport) demonstrates safe and efficient access. | No similar policy in the Code |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| As above – there are no policies regarding laneway development in the Code. | |
| For Schedule 4 complying development, the <i>Development Regulations</i> currently includes a requirement for vehicle access setbacks from laneway. These have not been included in Code policy and should be transitioned to the new system | |
| Residential Development Garages, Carports and Outbuildings PDC 219 When a grade transition is required to enable access from a laneway (including a service lane), or other minor or unserviced street to a garage or carport, the grade transition should be accommodated completely on the site of the development and not on the public road or laneway. | Design in Urban Areas RESIDENTIAL DEVELOPMENT - 3 BUILDING LEVELS OR LESS Car parking, access and manoeuvrability PO 23.5 Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces. DTS/ DPF 23.5 Driveways are designed and sited so that: (a) the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the garage or carport when work is completed is not steeper than 1:4 on average; and (b) the centre of the driveway at the public road boundary is no more than 25 degree deviation from the centre of the front of the covered car parking space for which it provides vehicle access. |
| The intent of the above NPSP policy is to ensure all grade transitions occur on private land. The Code policy does not achieve the same outcome. It is recommended that a similar policy be included in the Code. | |
| Residential Development Private Open Space PDC 222 Private open space (land available for the exclusive use of residents of each dwelling) may comprise one or more of the following forms: (a) a ground level courtyard, garden, yard, decking or patio space, or other private open space that: (i) is screened to achieve privacy from adjoining properties and public areas by a suitable fence of at least 1.8 metres in height. The space should not be located between the primary street frontage and the main face of an existing or proposed building unless high, solid front fences form part of the existing streetscape or the desired character of the locality; and (ii) has a minimum dimension of 2.5 metres and a minimum area of 10 square metres; (b) a roof top outdoor private open space, with a minimum dimension of 2.5 metres provided the area is equal to or greater than 10 square metres; or (c) a balcony, terrace, or other upper level outdoor areas (other than a roof top outdoor area), with a minimum dimension of 2 metres, provided the area of each is equal to or greater than 8 square metres. | Part 8 – Administrative Definitions <i>Private Open Space:</i> Means an outdoor area associated with a dwelling that: (a) <i>is for the exclusive use of the occupants of that dwelling;</i> (b) <i>has a minimum dimension of 1.8 metres; and</i> (c) <i>is not fully enclosed.</i> <i>Private open space may include balconies, terraces, decks and areas between the dwelling and side boundaries but does not include areas used for bin storage, laundry drying, rainwater tanks, utilities, driveways and vehicle parking areas.</i> Design in Urban Areas RESIDENTIAL DEVELOPMENT - 3 BUILDING LEVELS OR LESS Private Open Space DTS / DPF 20.3 A portion of the private open space specified in DTS 20.1 can be provided forward of the primary building line where: (a) the area is fenced to a maximum height of 1.8m; (b) the area incorporates a verandah with a minimum dimension of 1.5m (c) an area is provided behind the primary building line that has the minimum dimensions identified in DTS 20.1; |
| Residential Development | |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| Private Open Space PDC 223 Private open space should not include driveways, rubbish bin storage, sites for above ground rainwater tanks, effluent drainage areas and other utility areas, or common areas such as parking areas and communal open space in residential flat buildings and group dwellings. | |
| Residential Development Private Open Space PDC 224 Private open space should be located and designed: <ul style="list-style-type: none"> (a) to be accessed directly from the internal living areas of the dwelling; (b) generally at ground level to the side or rear of a dwelling and screened for privacy; (c) to take advantage of but not adversely affect natural features of the site; (d) to minimise overlooking from adjacent buildings; (e) to achieve where possible, separation from adjoining sites; (f) where possible, to have a northerly aspect to provide for comfortable year-round use; (g) to not be significantly shaded during winter by the associated dwelling or adjacent development; (h) to be shaded in summer, where possible; and (i) to retain any significant vegetation. | Design in Urban Areas RESIDENTIAL DEVELOPMENT - 3 BUILDING LEVELS OR LESS Private Open Space PO 20.2 Private open space positioned to provide convenient access from internal living areas. DTS / DPF 20.2 Private open space is directly accessible from a habitable room, other than a bedroom or study. PO 20.3 Private open space is positioned and designed to: <ul style="list-style-type: none"> (a) provide useable outdoor space that suits the needs of occupants; (b) take advantage of desirable orientation and vistas; (c) animate the street frontage by encouraging activity between buildings and public streets; (d) adequately define public and private space when located forward of the building; and (e) prolong activity along street frontages by protecting against inclement weather DTS / DPF 20.3 A portion of the private open space specified in DTS 20.1 can be provided forward of the primary building line where: <ul style="list-style-type: none"> (a) the area is fenced to a maximum height of 1.8m; (b) the area incorporates a verandah with a minimum dimension of 1.5m (c) an area is provided behind the primary building line that has the minimum dimensions identified in DTS 20.1; |
| It is recommended that the Code policies regarding private open space should: <ul style="list-style-type: none"> • not encourage private open space in front yards as it often does not provide good links to internal living spaces (for standard house designs) requires high front fencing which can have a significant detrimental impact on streetscape amenity, passive surveillance, and community interaction; • specify the minimum dimension for private open space is 2.5m rather than 1.8m; • be more specific about northern orientation, include reference to shading (summer & winter), and retaining vegetation | |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | | | | | | | | | | | | | | | | | | | | |
|---|--|---------------------------------------|----------------|--------------------------------|---|---|--|--|--|---|---|------------------------|---|--------------------------------------|--|-------------------------------------|---------------------------------------|-----------|-------------------------------------|---------------------------------------|
| Development Plan City Wide Residential Development Policy | | Code Equivalent | | | | | | | | | | | | | | | | | | |
| Residential Development Private Open Space PDC 225 Dwellings (other than residential development in the form of apartments within a multi storey building) should have associated private open space of sufficient area, shape and gradient to be functional and capable of meeting the likely needs of the occupant(s) (taking into consideration the location of the dwelling and the dimensions and gradient of the site) and should be in accordance with the following: (a) a dwelling with a site area of 250 square metres or greater, 20 per cent of the site area should be private open space, of which one portion should be equal to or greater than 10 per cent of the site area and have a minimum dimension of 4 metres; or (b) a dwelling with a site area of less than 250 square metres, a minimum of 35 square metres should be private open space, of which one portion should have an area of 16 square metres and a minimum dimension of 4 metres; and (c) in either of the circumstances described above, have a maximum gradient of 1 in 10 | Detached, Semi, Row, Group: <table><tr><th>Dwelling / Site Configuration</th><th>Minimum Rate</th></tr><tr><td>Site area >1,000m²</td><td>Total area: 20% of total site area Adjacent to habitable room: 10% total site area / minimum dimension 4m.</td></tr><tr><td>Site area 500m² – 1,000m² (16%) – (8%)</td><td>Total area: 80m² Adjacent to habitable room: 24m² / minimum dimension 4m.</td></tr><tr><td>Site area 300m² - 500m² (20%) – (12%)</td><td>Total area: 60m² Adjacent to habitable room: 16m² / minimum dimension 4m.</td></tr><tr><td>Site area <300m² (8%)</td><td>Total area: 24m² Adjacent to habitable room: 16m² / minimum dimension 3m</td></tr></table> | Dwelling / Site Configuration | Minimum Rate | Site area >1,000m ² | Total area: 20% of total site area Adjacent to habitable room: 10% total site area / minimum dimension 4m. | Site area 500m ² – 1,000m ² (16%) – (8%) | Total area: 80m ² Adjacent to habitable room: 24m ² / minimum dimension 4m. | Site area 300m ² - 500m ² (20%) – (12%) | Total area: 60m ² Adjacent to habitable room: 16m ² / minimum dimension 4m. | Site area <300m ² (8%) | Total area: 24m ² Adjacent to habitable room: 16m ² / minimum dimension 3m | | | | | | | | | |
| | Dwelling / Site Configuration | Minimum Rate | | | | | | | | | | | | | | | | | | |
| Site area >1,000m ² | Total area: 20% of total site area Adjacent to habitable room: 10% total site area / minimum dimension 4m. | | | | | | | | | | | | | | | | | | | |
| Site area 500m ² – 1,000m ² (16%) – (8%) | Total area: 80m ² Adjacent to habitable room: 24m ² / minimum dimension 4m. | | | | | | | | | | | | | | | | | | | |
| Site area 300m ² - 500m ² (20%) – (12%) | Total area: 60m ² Adjacent to habitable room: 16m ² / minimum dimension 4m. | | | | | | | | | | | | | | | | | | | |
| Site area <300m ² (8%) | Total area: 24m ² Adjacent to habitable room: 16m ² / minimum dimension 3m | | | | | | | | | | | | | | | | | | | |
| Residential Development Private Open Space PDC 226 Residential development in the form of apartments within a multi storey building should have associated private open space of sufficient area and shape to be functional and capable of meeting the likely needs of the occupant(s) and should be in accordance with the following requirements: (a) studio (no separate bedroom) or one bedroom, a minimum area of 10 square metres of private open space; (b) two bedrooms, a minimum area of 12 square metres of private open space; or (c) three bedrooms or greater; a minimum area of 15 square metres of private open space. | Apartments <table><tr><td colspan="2">Dwellings at ground level:</td></tr><tr><td>- All types</td><td>15m² / minimum dimension 3m</td></tr><tr><td colspan="2">Dwellings located above ground level:</td></tr><tr><td>- Studio</td><td>4m² / minimum dimension 1.8m</td></tr><tr><td>- One bedroom dwelling</td><td>8m² / minimum dimension 2.1m</td></tr><tr><td>- Two bedroom dwelling</td><td>11m² / minimum dimension 2.4m</td></tr><tr><td>- Three + bedroom dwelling</td><td>15 m² / minimum dimension 2.6m</td></tr></table> | Dwellings at ground level: | | - All types | 15m ² / minimum dimension 3m | Dwellings located above ground level: | | - Studio | 4m ² / minimum dimension 1.8m | - One bedroom dwelling | 8m ² / minimum dimension 2.1m | - Two bedroom dwelling | 11m ² / minimum dimension 2.4m | - Three + bedroom dwelling | 15 m ² / minimum dimension 2.6m | | | | | |
| Dwellings at ground level: | | | | | | | | | | | | | | | | | | | | |
| - All types | 15m ² / minimum dimension 3m | | | | | | | | | | | | | | | | | | | |
| Dwellings located above ground level: | | | | | | | | | | | | | | | | | | | | |
| - Studio | 4m ² / minimum dimension 1.8m | | | | | | | | | | | | | | | | | | | |
| - One bedroom dwelling | 8m ² / minimum dimension 2.1m | | | | | | | | | | | | | | | | | | | |
| - Two bedroom dwelling | 11m ² / minimum dimension 2.4m | | | | | | | | | | | | | | | | | | | |
| - Three + bedroom dwelling | 15 m ² / minimum dimension 2.6m | | | | | | | | | | | | | | | | | | | |
| Comparison of NPSP and Code policy regarding apartments <table><tr><th>Apartment type</th><th>Dev Plan Requirement</th><th>Code Requirement</th></tr><tr><td>Ground level</td><td>None specified</td><td>15m² / min dimension 3m</td></tr><tr><td>Studio</td><td>10m² (PDC 222 – 2m dimension)</td><td>4m² / min dimension 1.8m</td></tr><tr><td>One bed</td><td>10m² (min dimension 2m)</td><td>8m² / min dimension 2.1m</td></tr><tr><td>Two bed</td><td>12m² (min dimension 2m)</td><td>11m² / min dimension 2.4m</td></tr><tr><td>Three bed</td><td>15m² (min dimension 2m)</td><td>15m² / min dimension 2.6m</td></tr></table> | | | Apartment type | Dev Plan Requirement | Code Requirement | Ground level | None specified | 15m ² / min dimension 3m | Studio | 10m ² (PDC 222 – 2m dimension) | 4m ² / min dimension 1.8m | One bed | 10m ² (min dimension 2m) | 8m ² / min dimension 2.1m | Two bed | 12m ² (min dimension 2m) | 11m ² / min dimension 2.4m | Three bed | 15m ² (min dimension 2m) | 15m ² / min dimension 2.6m |
| Apartment type | Dev Plan Requirement | Code Requirement | | | | | | | | | | | | | | | | | | |
| Ground level | None specified | 15m ² / min dimension 3m | | | | | | | | | | | | | | | | | | |
| Studio | 10m ² (PDC 222 – 2m dimension) | 4m ² / min dimension 1.8m | | | | | | | | | | | | | | | | | | |
| One bed | 10m ² (min dimension 2m) | 8m ² / min dimension 2.1m | | | | | | | | | | | | | | | | | | |
| Two bed | 12m ² (min dimension 2m) | 11m ² / min dimension 2.4m | | | | | | | | | | | | | | | | | | |
| Three bed | 15m ² (min dimension 2m) | 15m ² / min dimension 2.6m | | | | | | | | | | | | | | | | | | |
| It is recommended that the Code policies regarding private open space should increase the minimum requirements | | | | | | | | | | | | | | | | | | | | |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| <ul style="list-style-type: none"> In the table applied to detached, semi-detached etc, the amount of POS could be as low as 8% of the site area which is not acceptable. A policy requiring a percentage of the site area provides consistency in policy while catering to different allotment sizes. For sites less than 300m², 24m² is considered insufficient and should be 35m² as per NPSP policy With respect to apartments, the differences between NPSP policy and Code policy are mainly negligible, apart from studios which should be provided with more than 4m² | |
| Residential Development Private Open Space PDC 229 Fifty per cent of the total private open space requirement provided at ground level should be open to the sky and developed in a manner to provide outdoor amenity, opportunities for landscaping and a reduction in stormwater runoff through the use of permeable surface treatments. | No similar policy |
| This NPSP policy is important and should be included in the Code. It complements the policies in the Code requiring soft landscaping and assists with living amenity | |
| Residential Development Communal Open Space PDC 231 Communal open space should be shared by more than one dwelling, not be publicly accessible and exclude: <ul style="list-style-type: none"> (a) private open space; (b) public rights of way; (c) private streets; (d) parking areas and driveways; (e) service and storage areas; and (f) narrow or inaccessible strips of land. | Design in Urban Areas SUPPORTED ACCOMMODATION, HOUSING FOR AGED PERSONS, AND PEOPLE WITH DISABILITIES Communal Open Space PO 38.1 Development designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors alike. |
| Residential Development Communal Open Space PDC 232 Communal open space should only be located on elevated gardens or roof tops where the area and overall design is useful for the recreation and amenity needs of residents and where it is designed to: <ul style="list-style-type: none"> (a) address acoustic, safety, security and wind effects; (b) minimise overlooking into habitable room windows or onto the useable private open space of other dwellings; (c) facilitate landscaping and/or food production; and (d) be integrated into the overall facade and composition of buildings. | No equivalent |
| It is recommended that similar policies be included in the Code to clarify what is acceptable with respect to Communal Open Space | |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

Good Residential Design – Comparison of NPSP Development Plan with Code

Development Plan City Wide Residential Development Policy

Code Equivalent

Residential Development

Visual Privacy

PDC 235

Except where buildings of three or more storeys are contemplated within the Urban Corridor Zone and the District Centre (Norwood) Zone, in all other circumstances upper level windows, balconies, terraces and decks should:

- (a) have a sill height of not less than 1.7 metres above the finished floor level (Refer to Figure 10); or
- (b) be treated with permanently fixed obscured treatment (such as glazing or adhesive film) in the part of the window below 1.7 metres above the finished floor level (Refer to Figure 10); or
- (c) be permanently screened to a height of not less than 1.7 metres above the finished floor level, through the use of external screening devices, such as planter boxes and angled louvres (Refer to Figure 10); and
- (d) in the case of balconies, not exceed 15 square metres in floor.

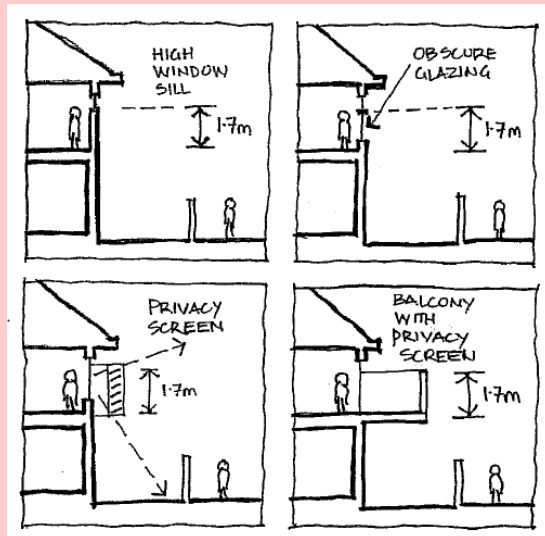


Figure 10

Design in Urban Areas

RESIDENTIAL DEVELOPMENT - 3 BUILDING LEVELS OR LESS

Overlooking / Visual Privacy

PO 19.1

Development mitigates direct overlooking of habitable rooms and private open spaces of dwellings.

DTS / DPF 19.1

Upper level windows facing side or rear boundaries shared with an allotment put to residential use:

- (a) are permanently obscured to a height of 1.5m above finished floor level that is fixed or not capable of being opened more than 200mm;
- (b) have sill heights greater than or equal to 1.5m above finished floor level; or
- (c) incorporate screening to a height of 1.5m above finished floor level; and
- (d) the building will not have a balcony or terrace on an upper building level, other than where the longest side of that balcony or terrace will face a road (including any road reserve), or reserve (including any land held as open space), and is at least 15m from the private open space of any other dwelling.

The Code policies for 1.5m sill heights is no supported. Many other Councils have a requirement for 1.7m sill heights (the following was prepared in 2018 so some may have changed)

| 1.5m | 1.7m |
|--------------------------------|---------------------|
| Campbelltown | NPSP |
| Charles Sturt: (SAPPL) | PAE |
| TTG: (SAPPL) CW Res Dev PDC 19 | Walkerville |
| | Mitcham (CW PDC 20) |
| | Prospect: CW PDC 90 |
| | Unley: CW PDC 39 |
| | West Torrens |
| | Holdfast Bay |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| <p>It is recommended that the Code policies be amended to:</p> <ul style="list-style-type: none"> • Increase screening height to 1.7m • Require screening on front windows if it allows for direct views into private open space • Reword the policy - Part (d) doesn't work because the beginning of the policy references <i>upper level windows</i> whereas part (d) relates to balconies or terraces • Limit the size of balconies and terraces (at least for DTS – larger balconies may be appropriate in the context of the site and locality) • Acknowledge that balconies may need to be screened where they are more than 15m from POS of another dwelling | |
| Residential Development Visual Privacy PDC 236 Permanently fixed external screening devices should be designed and finished in materials to blend in with the associated building's external materials and finishes. | No similar policy in the Code |
| It is recommended that a similar policy is included in the Code | |
| Residential Development Noise PDC 237 Residential development close to high noise sources (eg major roads, O-bahn, and industry) should be designed to locate bedrooms, living rooms and private open spaces away from those noise sources, or protect these areas with appropriate noise attenuation measures. | Design in Urban Areas ALL RESIDENTIAL DEVELOPMENT PO 15.2 Bedrooms separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion. Interface between land uses PO 4.4 External noise into bedrooms minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment. |
| See below | |
| Residential Development Noise PDC 238 Residential development on sites abutting established collector or higher order roads should include front fences, walls and landscaping that will supplement the noise control provided by the building facade. | The Noise and Air Emissions Overlay only applies to Urban Corridor Zones |
| <p>It is noted that The Noise & Air Emissions Overlay only applies in NPSP in Urban Corridor Zones. The Code is lacking policy which mitigates noise attenuation for dwellings on major roads, and other general noise sources.</p> <p>Either additional general development policy should be included, or the Noise & Air Emissions Overlay should apply in other areas along arterial roads</p> | |
| Residential Development Noise PDC 242 Noise generated by fixed noise sources such as air conditioning units and pool pumps should be located, designed and attenuated to avoid causing potential noise nuisance to adjoining landowners and occupiers. | Interface between land uses PO 4.3 Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers. DTS/DPF 4.3 |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| | <p>The pump and/or filtration system is ancillary to a dwelling erected on the same site and is:</p> <p>(a) enclosed in a solid acoustic structure that is located at least 5m from the nearest habitable room located on an adjoining allotment; or</p> <p>(b) located at least 12m from the nearest habitable room located on an adjoining allotment.</p> |
| It is recommended that the Code policy is amended to refer to air conditioning units | |
| <p>Residential Development Safety and Security PDC 244</p> <p>Residential development should:</p> <ul style="list-style-type: none"> (a) not have a significant adverse effect on safety and amenity due to the generation of through traffic; (b) provide for the safe and efficient movement of vehicles; (c) provide for the safe and convenient movement for pedestrians and cyclists; (d) provide for easy access for emergency and essential service vehicles; (e) where practical, separate pedestrian and vehicular movements by incorporating separate paths or at the very least different surface materials; and (f) be designed to minimise the adverse effects of adjacent traffic movement. | <p>Design in Urban Areas ALL DEVELOPMENT Car parking appearance PO 6.3</p> <p>Pedestrian connections that are safe, legible, direct and accessible are provided between parking areas and the development.</p> <p><i>This policy is not consistent as it relates to road reserves which generally refers to public roads</i></p> <p>Land Division in Urban Areas ALL LAND DIVISION Roads and Access PO 3.4</p> <p>Road reserves provide for safe and convenient movement and parking of projected volumes of vehicles, and allow for the efficient movement of service and emergency vehicles.</p> |
| It is recommended that the Code policy more specifically address separation of vehicle, pedestrian and bicycle traffic and access of emergency vehicles | |
| <p>Residential Development Dependent Accommodation PDC 246</p> <p>Dependent accommodation (ie accommodation where the living unit is located on the same allotment as the main dwelling and is connected to the same services of the main dwelling) should only be developed where:</p> <ul style="list-style-type: none"> (a) the site is of an adequate size and configuration to accommodate the additional living unit; (b) the dependent accommodation living unit is set behind the main face of the existing dwelling; (c) the dependent accommodation has a small floor area relative to the associated main dwelling with a floor area not exceeding 60 square metres or 15 per cent of the site area, whichever is the lesser; (d) the dependent accommodation is not more than one storey above the natural ground level, except where the predominant height in the immediate locality is two storey, in this instance the dependent accommodation living unit should not be more than two storeys above the natural ground level; | <p>Part 7 – Land Use definitions:</p> <p>Ancillary accommodation</p> <p>Means accommodation that:</p> <ul style="list-style-type: none"> (a) is located on the same allotment as an existing dwelling; (b) contains no more than 1 bedroom or room or area capable of being used as a bedroom; and (c) is subordinate to and shares the same utilities of the existing dwelling. |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| <ul style="list-style-type: none"> (e) adequate private open space is provided for the use of all occupants; (f) adequate on site car parking, which is accessed from a common driveway, is provided to cater for all likely vehicle users of the allotment; (g) the building is designed to, and comprises colours, materials and finishes that will complement the original dwelling; and (h) it will not unreasonably impact on the amenity enjoyed by the occupants of the existing dwelling or the adjoining properties. | |
| <p>Ancillary accommodation is defined but there does not appear to be any guiding policies – note that the Classification tables refer to <i>ancillary development</i> but this is outbuildings and the like</p> <p>It is recommended that policies be incorporated to guide when and in what form ancillary accommodation is appropriate.</p> | |
| <p>Residential Development Supported Accommodation and Housing for Seniors PDC 247 Supported accommodation and housing for seniors (including, nursing homes, hostels, retirement homes, retirement villages, residential care facilities and special accommodation houses) and people with disabilities should be:</p> <ul style="list-style-type: none"> (a) located within walking distance of essential facilities such as convenience shops, health and community services and public and community transport; (b) located where on-site movement of residents is not unduly restricted by the slope of the land; (c) sited and designed to promote interaction with other sections of the community, without compromising privacy; (d) of a scale and appearance that reflects the residential nature and character of the locality; and (e) provided with public and private open space and landscaping. | <p>SUPPORTED ACCOMMODATION, HOUSING FOR AGED PERSONS, AND PEOPLE WITH DISABILITIES Siting and Configuration PO 36.1 Supported accommodation and housing for aged persons and people with disabilities located where on-site movement of residents is not unduly restricted by the slope of the land.</p> <p>Movement and Access PO 37.1 Development designed to support safe and convenient access and movement for residents by providing: (a) ground-level access or lifted access to all units; (b) level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to footpaths that allow for the passing of wheelchairs and resting places; (c) car parks with gradients no steeper than 1-in-40, and of sufficient area to provide for wheelchair manoeuvrability; and (d) kerb ramps at pedestrian crossing points.</p> |
| <p>Residential Development Supported Accommodation and Housing for Seniors PDC 248 Supported accommodation and housing for seniors should be designed to provide safe, secure, attractive, convenient and comfortable living conditions for residents and should include:</p> <ul style="list-style-type: none"> (a) ground-level access or lifted access to all units; (b) internal communal areas and private spaces; | <p>Communal Open Space PO 38.1 Development designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors alike.</p> <p>PO 38.2 Communal open space provided where private open space provision is inadequate to meet the needs of occupants or where the nature of the development is</p> |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|---|--|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| <p>(c) an interesting and attractive outlook from all units and communal areas for all residents, including those in wheelchairs;</p> <p>(d) useable recreation areas for residents and visitors, including visiting children;</p> <p>(e) adequate living space allowing for the use of wheelchairs with an attendant;</p> <p>(f) spaces to accommodate social needs and activities, including social gatherings, internet use, gardening, keeping pets, preparing meals and doing personal laundry;</p> <p>(g) storage areas for items such as boats, trailers and caravans in association with some independent living units;</p> <p>(h) storage for items such as small electric powered vehicles and other personal items, including facilities for recharging small electric powered vehicles; and</p> <p>(i) mail boxes and waste disposal areas within easy walking distance of all units.</p> | <p>such that private open space is not ordinarily provided (such as supported accommodation).</p> <p>PO 39.1 Development designed to provide storage areas for personal items and specialised equipment such as small electric powered vehicles, including facilities for the recharging of small electric powered vehicles.</p> <p>PO 39.2 Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.</p> |
| <p>Residential Development Supported Accommodation and Housing for Seniors PDC 249</p> <p>A lesser requirement than that specified for site area and private open space may be appropriate for supported accommodation and housing for seniors provided the development is of a scale and appearance that reflects the residential nature and character of the locality and is designed to provide safe, attractive and comfortable living conditions for the residents.</p> | |
| <p>Most of the requirements in the NPSP policies are reflected in the Code policies with the exception of:</p> <ul style="list-style-type: none"> - Accommodation in walking distance to shops - Design to allow interaction with community - Scale & appearance to reflect local area <ul style="list-style-type: none"> • outlook from all windows • Slightly different wording or descriptions of PDC 248 (e)(f)(g) <p>It is recommended that the Code policy be amended to reflect these parts of the NPSP Policy</p> | |
| <p>Residential Development Supported Accommodation and Housing for Seniors PDC 250</p> <p>Access roads within supported accommodation and housing for seniors developments should:</p> <p>(a) not have steep gradients;</p> <p>(b) provide convenient access for emergency vehicles, visitors and residents;</p> <p>(c) provide space for manoeuvring cars and community buses;</p> <p>(d) include kerb ramps at pedestrian crossing points; and</p> <p>(e) have level-surface passenger loading areas.</p> | <p>Movement and Access PO 37.1</p> <p>Development designed to support safe and convenient access and movement for residents by providing:</p> <p>(a) ground-level access or lifted access to all units;</p> <p>(b) level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to footpaths that allow for the passing of wheelchairs and resting places;</p> <p>(c) car parks with gradients no steeper than 1-in-40, and of sufficient area to provide for wheelchair manoeuvrability; and</p> <p>(d) kerb ramps at pedestrian crossing points.</p> |

Policy Loss at City Wide Level

Residential Development Policies ATTACHMENT B

| Good Residential Design – Comparison of NPSP Development Plan with Code | |
|--|---|
| Development Plan City Wide Residential Development Policy | Code Equivalent |
| Residential Development Supported Accommodation and Housing for Seniors PDC 251 Car parking associated with supported accommodation and housing for seniors should: <ul style="list-style-type: none"> (a) be conveniently located on site within easy walking distance of resident units; (b) include covered and secure parking for residents' vehicles; (c) be adequate for residents, service providers and visitors; (d) include separate and appropriately marked places for people with disabilities and spaces for small electrically powered vehicles; (e) have slip-resistant surfaces with gradients not steeper than 1 in 40; (f) allow ease of vehicle manoeuvrability; (g) be designed to allow the full opening of all vehicle doors; (h) minimise the impact of car parking on adjacent residences owing to visual intrusion and noise; and (i) be appropriately lit to enable safe and easy movement to and from vehicles. | Siting and Configuration PO 36.1 Supported accommodation and housing for aged persons and people with disabilities located where on-site movement of residents is not unduly restricted by the slope of the land. |
| It is recommended that the Code policy be amended to include reference to: <ul style="list-style-type: none"> - Convenient location of car parks (within walking distance) - Covered and secure parking - Designated car parking spaces for disabilities and small electric vehicles - Slip resistant surfaces - Vehicle manoeuvrability - Full opening of all vehicle doors - Minimise impact of car parking - spaces appropriately lit | |

Policy Review

State & Local Heritage Place Overlays ATTACHMENT C

State Heritage Place Overlay

The SHP Overlay policies are reviewed with recommendations in the below table. The two key factors which should be addressed are firstly that the Overlay requires policies which distinguish between development directly affecting a State Heritage Place and development on adjacent land, and secondly that the policies should be more specific to provide greater clarification and policy guidance.

DO 1

Development maintains the heritage and cultural values of State Heritage Places through conservation, ongoing use and adaptive reuse.

The desired outcome is expressed in terms of only heritage and cultural values, no mention of the heritage fabric of the place. This is not sufficient detail for the overall outcome sought at the highest level of the heritage hierarchy.

Built Form

PO 1.1

The form of new buildings and structures maintains the heritage values of the Place.

Again, greater clarification and distinction is required as to where new buildings and structures are appropriate and whether these are freestanding structures or could include additions to state heritage places. The expression requires refinement and clarity of the broad concepts.

PO 1.2

Massing and scale of development maintains the heritage values of the Place.

State heritage places as the highest level in the heritage hierarchy need stronger policy expression in relation to massing and scale. This should be about the minimising of massing and scale for new development to retain heritage values of the place.

Does this apply equally to an addition to a SHP or freestanding structure 30m from a SHP but still impacting on its setting and prominence?

PO 1.3

Design and architectural detailing maintains the heritage values of the Place.

“Design and architectural detailing” does not provide sufficient detail. Existing development plan policies speak to roof form and pitch, window and door openings and specific design features. “Maintains” is not a high enough test for state heritage places, this language should be expressed around enhances, minimise impacts etc.

Why is current Development Plan wording which has clarity and specificity around the design and architectural detailing, been replaced with generic statements that reduce the assessment considerations and will compromise the heritage and built form outcomes?

PO 1.4

Development is consistent with boundary setbacks and setting.

This requires refinement, what does it mean to be consistent with boundary setbacks and setting? Does that mean no further development closer to side and rear boundaries?

This wording provides no differentiation – in many instances new design elements would need to be recessive or well set back – so “consistency” is not the outcome sought.

Policy needs to refer to “no further forward than ...”

Policy Review

State & Local Heritage Place Overlays ATTACHMENT C

PO 1.5

Materials and colours are either consistent with or complement the heritage values of the Place.

This PO is not clear in its differentiation between whether this is new development behind a SHP which is not visible, direct restoration work, or additions to the visible, original fabric. This principle needs to be much stronger and more specific to the circumstances, prominence and context of the state heritage place.

PO 1.6

New buildings are not placed or erected between the front street boundary and the façade of a State Heritage Place.

The integrity of setting and encroachment restrictions for State Heritage Places does not just relate to visibility from the front street boundary. It relates to curtilage all around a state heritage place; this provision needs to be applied so as to protect siting and setting of the SHP. The provision also needs to contemplate corner sites as often State Heritage Places are on prominent intersections or corners where there is high visibility from a side or secondary street boundary.

PO 1.7

Development of a State Heritage Place retains elements contributing to its heritage value.

This policy is particularly weak. Does this suggest that if some elements are retained others can be sacrificed in new development? If this is not the intention, this needs to refer to retention of all the elements of original building fabric which contribute to its heritage value, being retained.

Elements such as brickwork, roofing, fenestration, ornamentation detailing are not referred to – meaning these will be ignored or highly compromised in development assessment without any specific policy attention.

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 Place or its setting.

This does not provide sufficient guidance in terms of height, scale, roof form, window detailing etc which is contained in existing development plans.

Ancillary Development

PO 3.1

Ancillary development, including carports, outbuildings and garages, complement the heritage values of the Place.

PO 3.2

Ancillary development, including carports, outbuildings and garages, is located behind the building line of the principal building(s).

The above POs could be combined and incorporate more detail such as:

Garages, carports, verandahs and outbuildings:

- are designed and sited to ensure garage doors do not visually dominate the primary or secondary street frontage of the place; and
- do not extend design elements of the building such as verandahs, roof forms, or historic detailing at the same alignment of the main front façade.

Policy Review

State & Local Heritage Place Overlays ATTACHMENT C

PO 3.3

Advertising and advertising hoardings are designed and located to complement the State Heritage Place, be unobtrusive, not conceal or obstruct heritage elements and detailing, or dominate the building or the setting

Recommend that this policy also include:

- no third party advertising and only for business identification purposes;
- signs are discreet in size, number, design and colour; and
- do not project above the skyline of the heritage place.

Land division

PO 4.1

Land division creates allotments that:

- (a) are compatible with the surrounding pattern of subdivision of the State Heritage Place; and
- (b) are of a dimension to accommodate new development that reinforces and is compatible with the heritage values of the State Heritage Place

This needs a rethink as SHPs often remain on large sites surrounded by much smaller, subdivided allotments. Therefore, the allotment size/dimensions of the SHP often do not reflect the subdivision in the locality and therefore not necessarily a guiding principle to encourage further land division. Where the land division is on the site of an SHP, the policy should require sufficient land and curtilage to be retained so as to not diminish its setting.

The policy could also more specifically address the need for allotments to address allotment frontage, size and dimension to provide siting and setback of new buildings which do not overshadow, dominate, encroach, or otherwise impact on the heritage place. Also the retention of any significant original and historic landscape elements and the need for accommodating on-site car parking.

This policy, like previous POs, needs detail design considerations and elements of development to be listed – not broad statements of compatible with heritage values.

A planning authority may consider it is not “compatible with heritage values” and an applicant argues it is – where is the substance of the policy that a rigorous assessment process requires?

Landscape context and streetscape amenity

PO 5.1

Individually heritage listed trees, parks, historic gardens and memorial avenues 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.

This should not only relate to individually listed trees/ parks/ gardens, but to the landscape settings around an SHP.

There are no policies addressing streetscape amenity under this heading.

Demolition

PO 6.1

State Heritage Places are not demolished, destroyed or removed in total or in part unless either of the following apply:

- (a) the portion of the Place to be demolished, destroyed or removed is excluded from the extent of listing that is of heritage value; or
- (b) the structural condition of the Place represents an unacceptable risk to public or private safety and results from actions and unforeseen events beyond the control of the owner and is irredeemably beyond repair.

Policy Review

State & Local Heritage Place Overlays ATTACHMENT C

Current development plan policy contains a test of verification of structural condition by an appropriate independent qualified expert. What mechanism will be used to ensure the same test is met? What is the definition of 'unacceptable risk' and 'irredeemably beyond repair'?

PO 7.1

Conservation works to the exterior of a Place and other features of identified heritage value match existing materials to be repaired and utilise traditional work methods

'Utilise traditional work methods' requires definition and further consideration as this may no longer be practical.

It is recommended that a policy be included regarding fencing.

Procedural Matters

Refer to comments in the main submission regarding the procedural matters table.

Policy Review

State & Local Heritage Place Overlays ATTACHMENT C

Local Heritage Place Overlay

As outlined in the SHP Overlay, the LHP Overlay will apply to both sites containing LHPs and sites adjacent to LHPs, however the policies don't provide sufficient differentiation for these different circumstances. Also as outlined above, further detail and instruction is required to better articulate how these POs could be achieved.

DO 1

Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

This should also refer to retaining heritage fabric.

Built Form

PO 1.1-1.7 are totally lacking in specificity and are not supported in this current format.

Please refer to SHP Overlay comments

PO 1.1

The form of new buildings and structures maintains the heritage values of the Place.

PO 1.2

Massing and scale of development maintains the heritage values of the Place.

PO 1.3

Design and architectural detailing maintains the heritage values of the Place

A planning authority may consider it does not "maintain the heritage values" and an applicant argues it does – where is the substance of the policy that a rigorous assessment process requires? Will this just ended up as multiple ERD Court challenges? This does not represent planning with certainty and clarity.

PO 1.4

Development is consistent with boundary setbacks and setting

This setback is too generic. For instance, often new forms of development should be setback beyond the setbacks of the LHP to maintain its prominence, rather than having consistent alignment with setbacks and or setting, and the importance of this becomes more relevant where the scale/mass of new development is larger than the LHP. In the latter scenario, the application of PO 1.2 and PO 1.4 may conflict.

PO 1.5

Materials and colours are either consistent with or complement the heritage values of the Place.

PO 1.6

New buildings are not placed or erected between the front street boundary and the façade of a Local Heritage Place

PO 1.7

Development of a Local Heritage Place retains elements contributing to its heritage value

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 Place or its setting.
As per SHP Overlay comments

PO 2.2

Encourage the adaptive reuse of Local Heritage Places by enabling compatible changes to buildings to accommodate new land uses where the changes do not negatively impact the heritage value of the Place.

Policy Review

State & Local Heritage Place Overlays ATTACHMENT C

The intent of this is supported, however the PO should provide parameters for impacts on heritage fabric as suggested above. Some flexibility may be provided through other overlays, modules or zone policy such as reduced car parking rates or land use flexibility (e.g. office land use is appropriate in an LHP under 200m²).

In the planning reform program there is a strong emphasis on adaptive reuse which is curious because adaptive reuse generally occurs as a matter of course when one tenancy is exchanged for another. Most buildings of any era get sold and re-used by new owners/ occupants. The concept of adaptive re-use is supported for say, an old corner shop into a local office or a church into a bespoke residential building. However the concept here gets universally applied without qualification and needs to be tightened up.

The current Development Plan policy provides some flexibility for heritage places such as reduced car parking rates for a change of use in a heritage place, and alternative DDA requirements where it would compromise heritage building fabric; these approaches seem to work well. The SPPs, discussion papers and the like encourage flexibility for non-heritage properties which could undermine the incentives for heritage property owners provided through these existing adaptive reuse policies.

Ancillary Development

PO 3.1

Ancillary development, including carports, outbuildings and garages, complements the heritage values of the Place

PO 3.2

Ancillary development, including carports, outbuildings and garages, is located behind the building line of the principle building(s).

Refer to SHP Overlay comments however we note that 3.2 recognises that ancillary structures should be recessive elements to the principle building and this should be incorporated with greater emphasis in PO 2.1 and 2.2

PO 3.3

Advertising and advertising hoardings should be designed to complement the Local Heritage Place, be unobtrusive, not conceal or obstruct heritage elements and detailing, or dominate the building or its setting.

Refer to SHP Overlay comments

Land Division

PO 4.1

Land division creates allotments that:

(a) are compatible with the surrounding pattern of subdivision of the Local Heritage Place; and
(b) are of a dimension to accommodate new development that reinforces and is compatible with the heritage values of the Local Heritage Place.

While a LHP may be more likely to have an allotment size consistent with surrounding properties as compared to an SHP, there may be a need to retain more space around an LHP and therefore have a larger allotment, than other allotments in the street. The policy wording should provide distinction between:

- land division of a site containing an LHP should result in an allotment which provides sufficient setbacks, siting and landscaping so as to not diminish the heritage value of the place
- land division of surrounding sites should be in keeping with the allotment pattern of the locality, provided that the new allotment accommodates development which does not negatively affect the siting or context of the LHP (e.g. the allotment shouldn't require the new building to be sited forward of the neighbouring LHP)
- land division of surrounding sites should allow for sufficient setbacks, landscaping, car parking etc to protect setting of LHP

Landscape Context and Streetscape Amenity

Policy Review

State & Local Heritage Place Overlays ATTACHMENT C

PO 5.1

Individually heritage listed trees, parks, historic gardens and memorial avenues 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

See SHP Overlay comments – noting that the term ‘have the potential to be’ could be quite subjective.

Demolition

PO 6.1

Local Heritage Places are not demolished, destroyed or removed in total or in part unless either of the following apply:

- (a) the portion of the Place to be demolished, destroyed or removed is excluded from the extent of listing that is of heritage value;
- (b) the structural integrity or condition of the building represents an unacceptable risk to public or private safety and is irredeemably beyond repair.

As per SHP Overlay comments, there needs to be clarification as to what constitutes an ‘unacceptable risk to public or private safety’ and what is ‘irredeemably beyond repair’. Current NPSP policy contains a test of verification of structural condition by an appropriate independent qualified expert. What mechanism will be used to ensure the same test is met?

There is a slight difference between the demolition policy for State and Local Heritage Places

State: (b) the structural condition of the Place

Local: (b) the structural integrity or condition of the building

Is this an intentional difference in policy, and if so, what is the intended difference in terms of outcome between the policy?

PO 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 Place.

This should be incorporated with PO 6.1 and/or reworded to clarify that this is acceptable development.

Conservation Works

PO 7.1

Conservation works to the exterior of a Place match existing materials to be repaired and utilise traditional work methods.

As per SHP Overlay comments.

Policy Review Historic Area Overlay

ATTACHMENT D

The City of Norwood Payneham & St Peters does not support the removal of the years of investment that has gone into comprehensively identifying those buildings which demonstrate the heritage characteristics, to replace this with a less certain, more ambiguous and slower process of assessment to case-by-case examine (and argue) which buildings demonstrate those characteristics. The Council will continue to oppose this policy due to its impact on a less certain assessment process.

Policy detail set out in Table 2 of this Submission and Attachment A are requested to be reinstated in the Historic Area Overlay. In addition, further comments are provided on the draft HAO policies in the below table.

DO 1

Reinforce historic themes and characteristics through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns in streetscapes and built form as expressed in the Historic Area Statement.

Recommend splitting into two DOs as follows:

DO 1

The retention, enhancement and conservation of land, buildings and their settings, structures and landscape elements that contribute significantly to historic character, as identified in the Historic Area Statement.

DO2

Contextually responsive development, design and adaptive reuse that responds to existing coherent patterns in streetscapes and built form as expressed in the Historic Area Statement.

Built form

PO 1.1

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

The term *visible from the public realm* requires clarification. It can be hard to gauge when development will be visible e.g. how visible an upper level addition will be. What consideration is given to development that is visible from neighbouring properties?

PO 1.2

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

This should also refer to prevailing roof pitch and building proportions.

PO 1.3

Design and architectural detailing of street facing buildings complement the prevailing characteristics in the historic area.

What mechanism calls up the “prevailing characteristics” of the area, as set out in the Statement? How do these get linked?

It is recommended that 1.1 and 1.3 be combined into a more comprehensive policy which provides greater guidance about what details should be considered, e.g. the proportions (vertical and horizontal); level of visual interest present in a building (as determined by the height of eaves, the length and size of unbroken walling, treatment of openings and depths of reveals, roof form and pitch, external colour and texture of materials used, as well as detailing, landscaping and fencing); and design elements such as verandahs, balconies and eaves where appropriate
Could the term ‘street facing buildings’ inadvertently exclude buildings which are visible from a secondary street frontage on a corner site?

PO 1.4

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

These should be more prescriptive e.g. prescribed setbacks as per Area Statement. Alternatively, or where there is less consistency in front setback in the locality, a policy such as:

Where there is less than 2m difference between adjacent dwellings: in line with 1 of the adjacent buildings

Where there is more than 2m difference between adjacent dwellings: average of adjacent dwellings AND in any case, not forward of a heritage place or contributing building

PO 1.5

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

This is too broad:

(a) it could reference the Area Statement if this is articulate enough (eg reference to bluestone / sandstone / brick etc as relevant to the area)

(b) it could distinguish between materials that should be used on original building fabric when undertaking maintenance/ restoration, materials used on additions which are visible in the street, and (if appropriate) different materials can be used for additions at the rear / not visible from the street.

Alterations and Additions

PO 2.1

Alterations and additions complement the subject building and are sited to ensure they do not dominate the primary facade, and employ a contextual design approach.

Is there a need to reference colours and materials, design etc if above POs also apply? That is, does this PO purely address design and siting of additions whereas the earlier POs deal with other design requirements?

DTS 2.1

Alterations and additions are fully contained within the roof space of an existing building with no external alterations made to the building elevation facing the primary street

Does the DTS preclude the roof form on the sides being altered? If not, this could be problematic if large dormer windows were being added or the overall roof form at the rear was altered (skylights/velux on the side would be more acceptable)

How does this deal with corner sites where there is a historic building with high visibility from two frontages? NPSP has specific policy for assessment of corner sites – we do not want to lose this important policy consideration.

PO 2.2

Encourage the adaptive reuse of buildings that complement the prevailing historic values and character of the locality, by enabling complementary changes to buildings to accommodate new land uses

This policy could conflict with land use policies in the zone; adaptive reuse shouldn't be encouraged for land uses which are not anticipated or appropriate within the zone. *Complementary changes* presumably means changes which don't diminish/compromise the historic building fabric but this should be clearer.

Adaptive re-use is a given in most locations – this concept has become too broad in its usage, stemming from the SPPs (refer comments on Adaptive Re-Use in the SPPs).

Ancillary Development

PO 3.1

Ancillary development, including carports, outbuildings and garages, complements the historic character of the area and associated buildings

PO 3.2

Ancillary development, including carports, outbuildings and garages, are located behind the building line of the principal building(s).

These policies could be combined and be more prescriptive. If there were corresponding DTS requirements, each PO would need to be more discrete in what it's requiring. However given there are no DTS criteria, these POs could be combined. The policies should also include:

- *Ancillary development is/are designed and sited to ensure garage doors do not visually dominate the primary or secondary street frontage of the place; and*
- *do not extend design elements of the building such as verandahs, roof forms, or historic detailing at the same alignment of the main front façade.*

Recommend a DPF be included to the effect of:

- *Garages and carports fronting a primary street should be designed with a maximum width of 6.5m or 40% of the allotment or building site frontage width, whichever is the lesser distance.*

PO 3.3

Advertising and advertising hoardings are located and designed to complement the building, be unobtrusive, not conceal or obstruct significant architectural elements and detailing, or dominate the building or its setting.

This policy should be more specific indicating what types of signs might be appropriate and where (e.g. fascia signs, signs contained within the parapet, whether illuminated signs are appropriate, colours and materials etc).

Signs should be limited to business identification purposes only, no third party signs, and discreet in size and number.

PO 3.4

Front fencing and gates are consistent with the traditional period, style and form of the associated built form.

The policy should refer to the Historic Area Statements as many include guidance about fence styles. In any case, it is also recommended that the policy require fencing to be of a low and open style.

It is recommended that a guide be produced which provides details of different styles of fencing and which fences are appropriate for which dwellings styles.

There should be policy guidance for side/rear fencing that is situated on a road boundary given this requires approval (Sch 4(1)(d)).

Land Division

PO 4.1

Land division creates allotments that are capable of accommodating buildings of a bulk and scale that reflect existing buildings and setbacks in the historic area. *Why is this underlined? Is it supposed to refer to the Historic Area Statement?*

This policy should include reference to maintaining existing allotment patterns and providing dimensions suitable for landscaping, where landscaping is an important feature of the locality. The NPSP Development Plan contains specificity around this policy which we do not want see compromised. The suburb of Kensington for example is laid out on the diagonal, with detail of this in the Desired Character Statement and in the PDCs. It is necessary to have greater policy detail included around this.

Context and Streetscape Amenity

PO 5.1

The width of driveways and other vehicle access ways are consistent with the prevalent width of existing driveways of the historic area. Why is this underlined? Is it supposed to refer to the Historic Area Statement?

Recommend that the following be included:

- vehicle access should be via minor streets and/or existing crossovers where possible;
- width of driveways (and associated paving?) minimised so as to not detract from the character and landscaped setting of the locality; and
- where rear lanes exist, vehicle access and garaging should be located at the rear of the allotment.

PO 5.2

Development maintains the valued landscape patterns and characteristics that contribute to the historic area, except where they compromise safety, create nuisance, or impact adversely on existing buildings or infrastructure.

This policy should be clearer that it relates to landscaping – e.g. Development preserves existing and incorporates new landscaping which compliments the established landscaped character of the historic area, without compromising safety, creating nuisance, or adversely impacting existing buildings or infrastructure.

Demolition

PO 6.1

Buildings and structures that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless:

- (a) the front elevation of the building has been substantially altered and cannot be reasonably, economically restored in a manner consistent with the building's original style; or
- (b) the building façade does not contribute to the historic character of the streetscape excluding the circumstances that it is obscured by fencing or vegetation; or
- (c) the structural integrity or condition of the building is beyond economic repair

General Comments

This policy is a notable improvement on the foreshadowed policy set out in the Commission's policy position papers because this assessment is based on the merits of the dwelling in question and doesn't relate to, or depend on, the proposed replacement dwelling. Also, the test for whether a building contributes will be ascertained by using the Historic Area Statement, rather than an assessment of the context and thematic representation in the broader locality, which should provide greater consistency between different development assessments.

That said, NPSP reiterates that the current system of identifying CIs in an upfront survey undertaken by a qualified heritage expert is a more efficient and clearly understood system.

Policy Structure/Wording

The wording of PO 6.1 is confusing – it applies to “buildings and structures that demonstrate the historic characteristics...” but then (a) relates to buildings with facades which have been altered (presumably to an extent which does not contribute) and (b) relates to buildings with facades which don't contribute. Putting aside further comments about the (a)(b)(c) tests which are outlined below, it is recommended that the policy be structured to the effect of:

Option A

Buildings and structures are not demolished unless

(a) the building does not demonstrate the heritage values and characteristics as expressed in the Historic Area Statement; or (remaining criteria)...

This version of the policy would apply to all buildings but demolition is permitted if the building doesn't contribute or is in a poor structural condition etc.

Option B

Buildings and structures which were constructed in an era or in a style identified in the Historic Area Statement are not demolished unless: (a), (b), (c)

This policy applies to, say, all turn of the century buildings but the subsequent criteria filter out buildings which do not have any historic streetscape contribution.

Criteria (a)

In the current system, where a building has been so significantly modified that the building has no historic value, the building would unlikely be identified as a Contributory Item. However, contributing buildings which have lesser modifications or have deteriorated to an extent which is considered redeemable may be included as a CI. The following NPSP policy is relevant for these buildings:

The poor appearance of a contributory item should not serve as justification for its demolition or significant modification.

Criteria (a) would not be appropriate for these buildings.

The test of what is 'substantially altered' and 'economically restored' will therefore carry significant weight for this policy and should be clearly defined.

Criteria (b)

It is unclear when criteria (b) is intended to apply given that PO 6.1 applies to 'buildings and structures that demonstrate the heritage values and characteristics as expressed in the Historic Area Statement'.

Council is very concerned this is a test of a building's visibility, for example when a otherwise contributing building is obscured by high fencing or vegetation. High fencing or vegetation has not prohibited Contributory Items being identified through a Heritage Survey on the basis that the fence or vegetation could easily be removed and is likely to have a shorter lifespan than the dwelling itself. A building that demonstrates all of the characteristics described in the Historic Area Statement, but which is partly or significantly obscured by high or dense vegetation or solid fencing, is by no means a justification for its demolition. The City of Norwood Payneham & St Peters has witnessed multiple examples of Contributory Items being purchased by new owners and the obscuring fence/vegetation removed and appropriate fencing installed.

NPSP policies provide flexibility for higher fences on high traffic roads to assist with noise attenuation and is accepted as a balanced approach for retaining the building but allowing a reasonable living amenity. This policy would not work if installing a high fence then justified the demolition of the building.

Threshold for demolition

The terms 'structural integrity' and 'beyond economic repair' will be interpreted and applied differently across the State. NPSP prefer the current wording in our Development Plan:

A Contributory Item (listed in Table NPSP/7) should not be demolished or removed, in total or in part unless:

- (a) the part of the item to be demolished or removed does not contribute to the heritage value, historic character or desired character of the zone; or*
- (b) the condition of the item **is structurally unsound and substantial rehabilitation work is required to an extent that is unreasonable**; and*
- (c) in either of the circumstances described above, the demolition of that building, or that part of a building, is part of a development involving erection of a substitute building, or part of a building, or addition to that building, in a manner which does not diminish the level of contribution to the historic character of the zone made by the building on the site of the demolition.*

Part (b) of the NPSP policy is a stronger test than part (c) of the Code policy both in reference to 'structurally unsound' rather than 'structural integrity' and 'to an extent that is unreasonable' rather than 'beyond economic repair'.

When assessing whether the extent of repairs is 'unreasonable' NPSP staff balance the cost of the nominated repairs with:

- alternative options for repair;
- the cause of the problem (e.g. plumbing leaks in the dwelling vs local soil conditions);
- the likely recurrence of the problem (e.g. is this a one-time-fix or will the same repairs be required in 5 years' time); and
- the level and value of contribution of the building (e.g. if the contribution of the building has been somewhat compromised by alterations or if it is a quality example of that type of dwelling).

This test is more nuanced than a more simplified 'economic reasonableness' test.

Further comments regarding the demolition policy as compared to existing NPSP policy is attached below.

PO 6.2

Partial demolition of a building **only occurs** where that portion to be demolished does not contribute to the historic character of the streetscape.

It is recommended that the policy be reworded as indicated in red above.

PO 6.3

Buildings, or elements of buildings, that do not conform with the values described in the historic areas statement may be demolished

Could this policy be deleted or amalgamated with PO 6.1 and/or PO 6.1 (subject to above comments on these policies)?

Ruins

PO 7.1

Development that conserves and complements features and ruins associated with former activities of significance including those associated with mining, farming and industry.

No comment

A previous draft included the following policy – although the policy required some refinement, it was considered an appropriate inclusion. Recommend reintroducing this policy.

PO 7.1

Conservation works to the exterior of buildings and other features of identified heritage value match existing materials to be repaired.

DTS 7.1

Conservation works involving:

- (a) replacement of roof materials, guttering or downpipes with the same or substantially the same materials and detailing;
- (b) replacement of timber building elements (structural or decorative) with the same material, dimension and detailing;
- (c) brick and stone repair/ repointing to match original.

Procedural Matters

There is no referral or public notification trigger in the HAO. Assuming no referrals or public notifications apply at the zone level, new development within a historic area would require a 4 week assessment. This may be fine for ancillary structures and some additions, but new dwellings within a historic zone typically require extensive negotiation with the applicant to refine the design, including meetings with the heritage advisor. In NPSP, new dwellings within a HCZ are also determined by the CAP rather than under delegation. This is not ordinarily achieved within 4 weeks. Faced with potential deemed consents, there is likely to be more refusals rather than a slightly longer but well negotiated outcome.

Policy Review Historic Area Overlay

ATTACHMENT D

Existing and Proposed Demolition Criteria

A key difference between NPSP existing policy and proposed new policy is that the Code won't have a list of pre-surveyed Contributory Items. Instead the first step for every demolition application will be a case-by-case assessment of the heritage value/contribution of each building. This will create more uncertainty for property owners compared to a system where contributing buildings are assessed upfront through a heritage survey.

| NPSP – Residential Historic (Conservation) Zone PDC 27 | P&D Code Historic Area Overlay PO 6.1 |
|---|--|
| A Contributory Item (listed in Table NPSP/7) should not be demolished or removed, in total or in part unless: | Buildings and structures that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless: |
| N/A – no similar policy | (a) the front elevation of the building has been substantially altered and cannot be reasonably, economically restored in a manner consistent with the building's original style; or |
| <p>No similar clause in NPSP policy. If a building was so significantly altered that it no longer resembled the original style of building e.g. if a front addition was added in the 1970s etc, then these buildings would not typically have been identified as Contributory Items in the first place.</p> <p>How can a building '<i>demonstrate the historic characteristics</i>' but be so substantially altered that it no longer contributes? If it is more minor modifications, such as a modified verandah, note PDC 28 below which states that poor appearance of a Contributory Item is not a justification for demolition.</p> | |
| (a) the part of the item to be demolished or removed does not contribute to the heritage value, historic character or desired character of the zone; or | (b) the building façade does not contribute to the historic character of the streetscape; or |
| <p>These tests sound similar but serve very different purposes.</p> <p>The NPSP policy is referring to parts of the building which don't contribute such as a rear lean-to / later addition.</p> <p>The Code Policy is referring to the whole building being demolished if it doesn't contribute to the streetscape. It is unclear what this means:</p> <ul style="list-style-type: none"> Is this referring to different dwelling styles which don't contribute, such as 1960s cream brick buildings? The policy shouldn't apply to these buildings if they are not '<i>Buildings and structures that demonstrate the historic characteristics...</i>' Is this referring to cottages / villas etc which have been modified? This is captured by clause (a) Is this referring to cottages / villas etc which have been left to deteriorate? This is a poor outcome and contrary to PDC 28 below. Is this referring to a building which cannot be seen from the street, such as behind a high front fence or vegetation? This is a poor outcome as fencing and vegetation is very easily removed or modified. <p>This clause is unclear and requires refinement.</p> | |

Policy Review Historic Area Overlay

ATTACHMENT D

| NPSP – Residential Historic (Conservation) Zone PDC 27 | P&D Code Historic Area Overlay PO 6.1 |
|---|--|
| (b) the condition of the item is structurally unsound and substantial rehabilitation work is required to an extent that is unreasonable; and | (c) the structural integrity or condition of the building is beyond economic repair. |
| The NPSP policy test is stronger as the building must be ' <i>structurally unsound</i> ' and must be of a level which requires a ' <i>substantial</i> ' and ' <i>unreasonable</i> ' level of repair. The Code policy is weaker as the building condition must only be ' <i>beyond economic repair</i> ' which would be a much simpler comparison of costs of repair vs replacement. | |
| (c) in either of the circumstances described above, the demolition of that building, or that part of a building, is part of a development involving erection of a substitute building, or part of a building, or addition to that building, in a manner which does not diminish the level of contribution to the historic character of the zone made by the building on the site of the demolition. | N/A – no similar policy |
| NPSP – Residential Historic (Conservation) Zone PDC 28 | |
| The poor appearance of a contributory item should not serve as justification for its demolition or significant modification. | N/A – no similar policy |

By Email: ewalters@npsa.gov.au
Ref: GJLM00293625F06057394.DOCX

29 November 2019

Ms E Walters
Manager, Urban Planning & Sustainability
The Corporation of the City of Norwood Payneham & St
Peters
PO Box 204
KENT TOWN SA 5071

Dear Eleanor

Contributory Items – Planning & Design Code transition

I refer to your email of 11 November and our subsequent conference on 14 November 2019.

Background

It is the desire of the Council to “grandfather” the Contributory Items presently identified in its Development Plan as listed in Table NPSP/7 and transition these into the Planning and Design Code (**Code**) together with policy that maintains or strengthens current demolition controls.

The policy framework of Historic (Conservation) Zones is anchored around an expectation that Contributory Items, both individually and as a collective, will generally be retained. This is because these places demonstrate the historical characteristics that make the area special.

The identification of these special places as Contributory Items gives clarity, certainty and transparency to land owners and the public alike. This could be contrasted to the alternative approach proposed in the Code whereby demolition policy will impose an evidentiary burden on an applicant seeking demolition to prepare a Historic Area Impact Statement that demonstrates that their place does not contribute to the historic character of the area. Such an outcome gives rise to ambiguity, rather than certainty, and a process that is potentially disproportionately time consuming and costly.

I am instructed that a recent survey of owners of Contributory Items has overwhelmingly supported such an approach to the transition of Council’s current Development Plan policy into the Code.

The State Planning Commission (**Commission**) is responsible for preparing and maintaining the Code. A draft Code for Phase 3 (urban areas) was released in October 2019 for a period of consultation which will close on 28 February 2020. Relevantly for present purposes, at the same time the Commission also released a Heritage & Character Fact Sheet and draft Practice Guideline for the interpretation of its proposed Historic Area Overlay.

In developing the Code, the Commission has proposed that Contributory Items no longer be

Norman Waterhouse Lawyers Pty Ltd ACN 621 909 395

Level 11, 431 King William Street, Adelaide SA 5000
GPO Box 639, Adelaide SA 5001
www.normans.com.au

T +61 8 8210 1200

individually identified in the new planning system for reasons that I will touch upon below. In light of the Council's contrary desire, you have asked how and where Contributory Items might be defined and appropriate demolition controls refined in the context of the transition of your Historic (Conservation) Zones into the new Code environment under a new Historic Area Overlay.

Contributory Items – Norwood, Payneham & St Peters (City) Development Plan Consolidated – 21 March 2019

The Council is one of 24 councils that have Contributory Items identified in their Development Plans.

The identified Contributory Items in the Council's area fall within the Residential Historic (Conservation) Zone and the Mixed Use Historic (Conservation) Zone. Both of these Zones contain multiple Policy Areas and fine grain policy detail, not only as to the desired character for each Zone, but also that which is desired with respect to each of the multiple Policy Areas.

Relevant demolition controls are found in PDC27 and 28 of the Residential Historic (Conservation) Zone and PDC12 and 13 of the Mixed Use Historic (Conservation) Zone. The same policy position is articulated in each Zone as follows:

'PDC27

A Contributory Item (listed in Table NPSP/7) should not be demolished or removed, in total or in part unless:

- (a) the part of the item to be demolished or removed does not contribute to the heritage value, historic character or desired character of the zone; or*
- (b) the condition of the item is structurally unsound and substantial rehabilitation work is required to an extent that it is unreasonable; and*
- (c) in any of the circumstances described above, the demolition of that building, or that part of the building, is part of a development involving erection of a substitute building, or part of a building, or addition to that building, in a manner which does not diminish the level of contribution of the historic character of the zone made by the building on the site of the demolition.'*

PDC28

The poor appearance of a contributory item should not serve as justification for its demolition or significant modification.'

Draft Code

The Guide to the draft Code (**Guide**) issued for consultation for Phases 2 and 3 contains a section on heritage and character at pages 38 and 39. It sets out, among other things, the proposed policy response to transitioning areas that are currently within Historic (Conservation) Zones into the Code. It is proposed that the Code will contain a single, universal policy for Historic (Conservation) Zones, which will become a Historic Area Overlay. Proposals to alter or demolish a building within these areas are to be assessed using proposed criteria that considers the building's historic attributes, structural integrity/condition and its potential for economic repair. However, as will be noted later, the relevant assessment provisions place inappropriate emphasis on front building elevations, facades, visibility and streetscape contribution.

Historic Area Statements are to provide particular guidance for specific areas of value which are anticipated to constitute each of the Council's current Policy Areas. However, until these individual Historic Area Statements are available for public comment it is difficult to review and appreciate the full implications of the proposed Code policy.

The present policy response to the recognition of Contributory Items is that they will no longer exist under the Code. The Guide suggests that 'the vast majority of current Contributory Items will be afforded a level of protection under the new State-wide Historic Area Overlay policy.'

Commission rationale for its policy response

The expressed rationale in support of the proposed policy response is that Contributory Items have no set criteria, are not recognised in the Development Act 1993, and that councils use different policies and assessment processes to determine appropriate development within Historic (Conservation) Zones and the circumstances where buildings might be demolished.

The Commission's Heritage and Character Fact Sheet explains the approach as follows:

'In developing the Code, the Commission has proposed that Contributory Items not be individually identified in the new planning system because they have no statutory basis; have been applied inconsistently and processes to identify them have not afforded home owners the rights associated with the listing of State and local heritage.'

'The intention of the Historic Area Overlay is to ensure Historic Conservation Zones and the Contributory Items within them are subject to a consistent assessment process and the same level of protection. In this way, the Overlay will bring equality and fairness to land owners regardless of where they live.'

That there is not a statutory basis to the identification of Contributory Items is not of itself a reason for their abandonment. Contributory Items are a policy tool or expression of policy rather than a creature of statute. They are different to places of local heritage value and should be treated differently. This difference is acknowledged and any future applicable demolition controls should also be different. However, there need not be a statutory basis to use the identification of Contributory Items as a policy tool in the Code.

I understand that it is the Council's desire to simply "grandfather" existing Contributory Items and have these transitioned to the Code as a separate layer within the Historic Area Overlay. Such an approach, together with effective demolition policy, would appropriately maintain the status quo. This is proposed as a compromise to the Commission's current position on the basis that, subject to appropriate policy tests, the transition of currently identified Contributory Items is the clearest way of highlighting those places within the Overlay that should be retained. Existing owners of Contributory Items who have invested in their properties based on, among other things, the identification of adjacent properties as Contributory Items, can then proceed with a greater level of certainty.

The genuine retention of the status quo would also reflect the principle that Contributory Items should be retained, unless they meet thresholds for demolition, as set out in the demolition tests within the Code. Provided that the demolition test thresholds for Contributory Items are not as rigid as the demolition tests applicable to local heritage places, then there can be no argument that identified Contributory Items would be treated as 'de facto' local heritage places. I understand that the Council has always strongly supported the notion that lower threshold tests for demolition should apply to Contributory Items compared to local heritage places.

You advise that it is not the intention of the Council to have new Contributory Items identified and listed in the Code. There can therefore be no meaningful future argument as to a lack of rights afforded to homeowners. In any event, I note the provisions of Section 67(3)(b) of the Planning, Development & Infrastructure Act 2016 whereby the Community Engagement Charter must include provisions that require direct consultation with the owner of any land constituting a place proposed as being subject to preservation policy in the nature of a Historic Area Overlay.

Defining a Contributory Item

In light of the proposed State-wide Historic Area Overlay policy with its future associated Historic Area Statements; a simple definition of Contributory Items in the context of the overlay environment could read:

‘Buildings or structures that demonstrate the historic, economic or social themes and characteristics as expressed in the Historic Area Statement’.

Any such definition would ideally be located in both Part 8 of the Code and the definitions in Attachment 1 to the Practice Guideline (Interpretation of the Local Heritage Places Overlay, Historic Area Overlay and Character Area Overlay) 2019.

Historic Area Overlay – Demolition policy

Proposed demolition policy is contained in Performance Outcomes 6.1 – 6.3 of the Historic Area Overlay.

It is the Council’s desire that current demolition controls at least be reflected, if not strengthened, in the policy transition to the Code. It is acknowledged and accepted that demolition controls for transitioned Contributory Items should be different to those that apply to local heritage places. However, Performance Outcome 6.1 as presently drafted is problematic insofar as it places inappropriate emphasis on front elevations, visibility of building facades and contribution to streetscape character. This policy should not be so limited.

The Performance Outcome should contain criteria as currently found in PDCs 27 and 28 in the Council’s Residential Historic (Conservation) Zone with an emphasis on structural integrity and the economics or reasonableness of rehabilitation and remediation as an alternative to demolition. The current proposed reference in PO6.1(b) to the contribution of a building facade to the historic character of the streetscape should be deleted as a potential demolition trigger.

If the Commission is amenable to the retention and transition of existing Contributory Items then a separate (or amended) performance outcome that specifically references Contributory Items and the circumstances in which they might be demolished could be included. It could mirror your current PDC 27(b) whereby an applicant, to support demolition, would need to establish that the condition of the Item was structurally unsound requiring substantial rehabilitation work to an extent that was unreasonable and beyond economic repair. From your analysis of the State’s Development Plans, such a policy relating to the demolition of Contributory Items would be broadly consistent with what presently applies. I note that Council does not seek to carry over the current requirement for a substitute or replacement building provided adequate policy was present in the Historic Area Overlay to ensure that new buildings and structures, not only those that are visible from the public realm, are consistent with the relevant Historic Area Statement.

Performance Outcome 6.1 could be amended as follows:

'PO6.1 Buildings and structures that demonstrate the historic characteristics as expressed in the Historic Area Statement, including identified Contributory Items, should not be demolished in total or in part unless:

- (a) the building or structure has been substantially altered and cannot be reasonably and economically restored in a manner consistent with its original style; or*
- (b) the condition of the building or structure is structurally unsound and substantial rehabilitation work is required to an extent that the building or structure is beyond reasonable economic repair.'*

In respect to Performance Outcome 6.2, it is recommended that it be deleted or amended as it is inappropriately limited to streetscape contribution.

I trust this is of assistance in your further discussions with DPTI. Please do not hesitate to call should you have queries or require further advice.

Yours faithfully
Norman Waterhouse



Gavin J Leydon
Principal

T 08 8210 1225 M 0419 869 439
gleydon@normans.com.au

Policy Review

Historic Area Statements

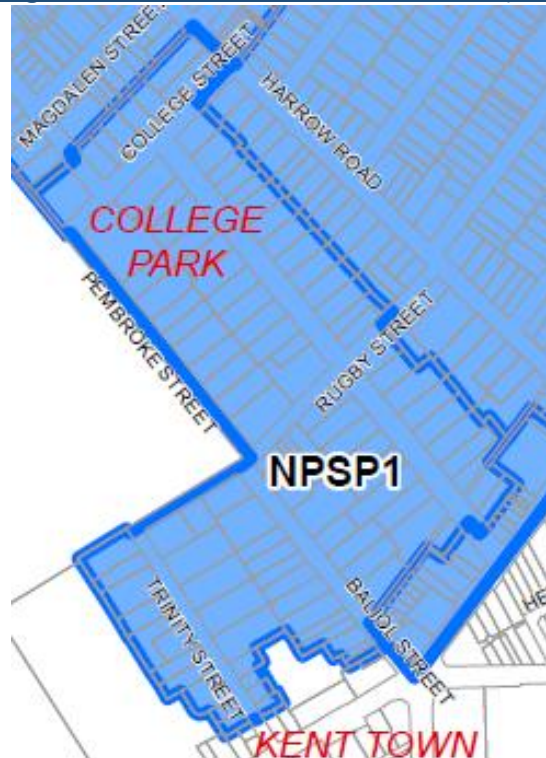
ATTACHMENT F

In October 2019 the Council was invited to draft Historic and Character Area Statements for inclusion in the P&D Code. The invitation was not accepted for a number of reasons. Firstly, from the time councils were formally invited by the Commission to participate, to when the Statements were due, was a period of 5 weeks which was insufficient time to draft a total of 31 Statements (25 Historic, 6 Character) and present to the Council for endorsement. Secondly, the scope, style and quantity of policy content which was expected by the Commission was unclear and there was considerable concern that Statements drafted by the Council would not be accepted without significant modification. Thirdly, the Council was concurrently invited by the Commission to provide a legal definition for Contributory Items which the Council deemed to be of greater urgency and invested considerable time and resources in pursuing this invitation, which has since been refuted.

The Historic Area Statements which were drafted for this Council are not adequate or appropriate replacements for the extensive local policy content currently contained in the Development Plan. The statements nominate discrete physical attributes or features without any supporting context as to the history of the area, and on a number of occasions have incorrectly indicated [Not Stated] when there is corresponding Development Plan policy. They also do not distinguish between the existing historic features which should be preserved and the desired design features for new development; both equally important in managing development within historic areas.

As outlined in the Council's submission, the Council has requested extensive revision of the generic Historic Area Overlay policies to retain comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If the Historic Area Overlay is not amended to include more detailed and comprehensive policy, then subzones should be used to allow councils to retain their existing historic zone/area Development Plan policy content. Should that not occur, the Area Statements should be amended to include significantly greater detail. In this respect, the Area Statements have been reviewed to demonstrate some of the important Development Plan policy which has been omitted. (Highlighted text has been added by NPSP, taken from the Development Plan policy).

College Park Historic Area Statement (NPSP1)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. The following Area Statements are requested to be adopted – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | 1870s-1900; 1900s-1920s; Residential Subdivision during the 1870s with dwellings built between 1870s and 1920s |
| Dwelling Types / Land Uses | Residential – Detached dwellings |
| Allotments and subdivision patterns | Consistent pattern of prestigious single-storey detached dwellings on very large, spacious allotments fronting wide, tree-lined streets. Very low density All dwellings to have frontage to a road but not including a lane shown on Concept Plan (insert Map NPSP1/ (Overlay 4)) |
| Architectural style and features | Double fronted, symmetrical and asymmetrical dwellings; East Adelaide Investment Company dwellings; Larger villas and mansions; Victorian villas; Edwardian Queen Anne and Art Nouveau. The double fronted, symmetrical and asymmetrical dwellings in the College Park Policy Area are an elegant larger version of the simple colonial cottage with the addition of a projecting wing (in the case of the asymmetrical dwelling), a more elaborate verandah and increased detailing in plaster and render work around openings. The pitch and size |

Policy Review

Historic Area Statements

ATTACHMENT F

| | |
|-----------------|---|
| | <p>of the roof makes this an important design element that will continue to be repeated in any new developments. The external walls are generally constructed of bluestone or dressed and coursed sandstone. Verandahs along the front elevation are another important element of both the double fronted symmetrical and asymmetrical dwelling which will be repeated on new dwellings</p> <p>Dwelling roof pitches should match the principal roof pitches within the Historic Area. Roofs for rear additions extending less than four metres from the main building may be of a lean-to nature.(HCZ PDC 19).</p> <p>New dwellings reflective of the scale of existing dwellings with similar roof profiles and respecting the detailing of the original buildings, such as front verandahs, through use of contemporary architectural detailing which makes reference to these key elements.</p> <p>Alterations or additions to buildings or structures which demonstrate the historic characteristics expressed in this Historic Area Statement only undertaken for the purposes of restoration or maintenance, such as the reinstatement of a front verandah. No alteration to the original openings in external walls, particularly along the front elevations.</p> <p>High ceilings to achieve similar wall heights to original buildings and openings in front walls to repeat the proportions of traditional dwellings.</p> |
| Building height | <p>Single-storey</p> <p>Development limited to single storey or two storeys only where this is compatible with surrounding development.</p> <p>Development of a new building or building addition should result in dwellings that have a single-storey appearance along the primary street frontage, where these are predominant in the locality, but may include:</p> <ul style="list-style-type: none"> (a) sympathetically designed two-storey additions that utilise or extend roof space to the rear of the dwelling, such as the use of attics with dormer windows; or (b) second storey components located to the rear of a building; and (c) in either of these instances: <ul style="list-style-type: none"> (i) should be of a building height, scale and form that is compatible with the existing single-storey development in the zone; (ii) should not result in an excessive mass or scale that would adversely affect the visual outlook from adjoining residential properties; (iii) should not overshadow or impact on the privacy of neighbouring properties; (iv) should not compromise the heritage value of the building or the view of the building from the street; and (v) the total width of second storey windows should not exceed 30 per cent of the total roof width along each elevation and be designed so as to not overlook the private open space of adjoining dwellings. (HCZ PDC 17) |
| Site coverage | <p>Buildings should not cover more than 40 per cent of the total area of the site.</p> |

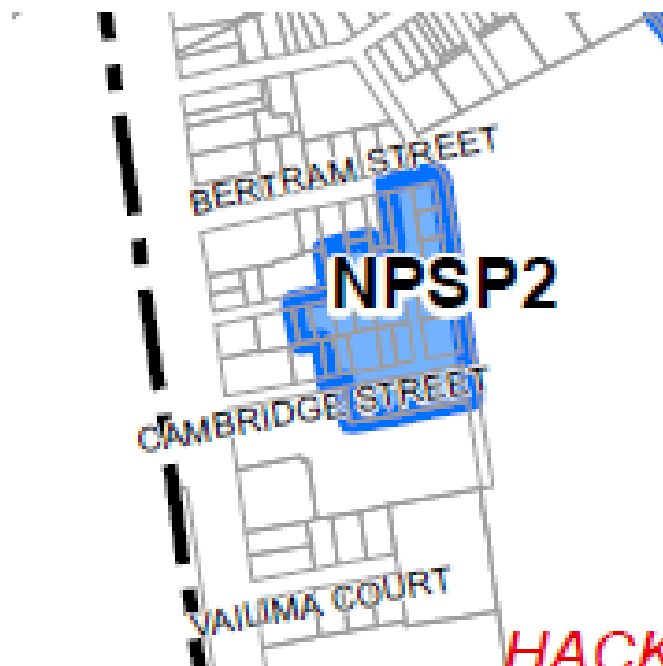
Policy Review

Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|---|
| Building Siting | <p>Primary street front setback of new dwellings at a distance equal to or greater than, the alignment of the main face of the adjacent original buildings.</p> <p>Side and rear setbacks providing large separation distances between dwellings.</p> |
| Materials | <p>Historic Buildings: External walls made of bluestone or dressed and coursed sandstone. <i>Repeated from Architectural style and features</i></p> <p>New Buildings: Stone, brick, rendered masonry No brightly coloured or highly reflective materials or surfaces (RHCZ PDC 23) Materials and colours to complement and reinforce traditional materials and colours.</p> |
| Fencing | <p>Traditional materials and designs, such as: timber picket, timber dowelling, masonry and cast iron palisade, or corrugated iron or mini orb within timber framing for cottages, villas and other dwellings built during the Victorian period; or timber picket, timber paling or woven crimped wire; corrugated iron or mini orb within timber framing for Edwardian dwellings</p> <p>Fencing styles compatible with the period and style of the dwelling. Lower and more open style of fencing to allow an appreciation of the detailing of the dwelling, such as brick and stone plinths and cast iron railing with a cast iron gate.</p> <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the scale of existing historic development and should:</p> <ul style="list-style-type: none"> (a) not detract from the character or restrict the visibility of the building; (b) not exceed 1.2 metres in height for materials such as masonry or a maximum of 1.5 metres in height for materials such as wrought iron, timber and wire or woven mesh, with masonry pillars able to be constructed up to a height of 2 metres; and (c) utilise original design and materials such as: <ul style="list-style-type: none"> (i) timber picket, timber dowelling, masonry and cast iron palisade, or corrugated iron or mini orb within timber framing for cottages, villas and other dwellings built during the Victorian period; or (ii) timber picket, timber paling or woven crimped wire, or corrugated iron or mini orb within timber framing for Edwardian dwellings. (PA PDC 7) <p>Side fences along street corners will continue the detailing of the front fence to the house alignment, solid fencing beyond this point erected in traditional materials (DCS)</p> |
| Setting and public realm features | <p>Dwellings have sizeable setbacks from all boundaries and are typically set in large landscaped grounds with front boundaries defined by fencing of various styles;</p> <p>Open landscape character to front garden, which enhances dwelling and streetscape quality;</p> <p>Wide streets lined with mature trees</p> |

Hackney North Historic Area Statement (NPSP2)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|---|
| Eras and themes of development | Residential Predominantly pre 1920s, some pre 1940s dwellings |
| Dwelling Types (by definition) | Detached Dwelling Semi-detached Dwelling Row Dwelling |
| Allotments and subdivision patterns | Small narrow fronted allotments on narrow streets Frontage widths currently not included in TNV (HDN Zone) The site for a dwelling should have a primary street frontage of not less than the following: (a) Detached Dwelling: 9 metres (b) Semi-detached dwelling: 7 metres (c) Row dwelling 6 metres |
| Architectural style and features | Humble, mainly double fronted (with some single fronted) single storey cottages New development: Dwellings will continue to be simple in structure and plan Similar in style to original historic buildings in terms of scale and roof form |

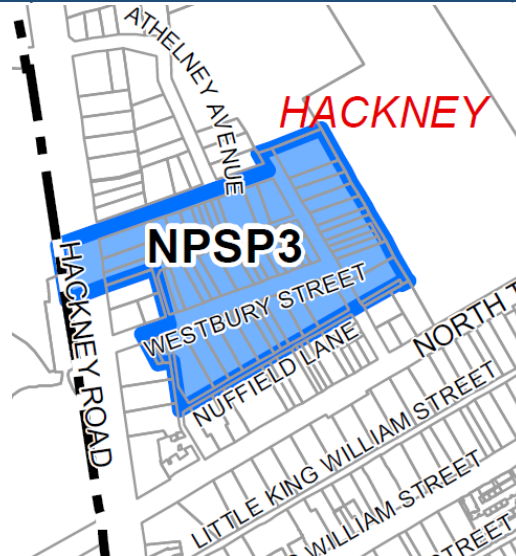
Policy Review

Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|--|
| | |
| Building height | Development limited to single storey |
| Site coverage | Buildings should not cover more than 70 per cent of the total area of the site |
| Building Siting | <p>The front and side setbacks of new dwellings should reflect the pattern established by the adjoining dwellings and should be sited:</p> <ul style="list-style-type: none"> (a) close to the primary street frontage with a setback of no greater than 3 metres to the main face of the dwelling (excluding verandahs attached to or comprising part of a dwelling); or (b) at a distance equal to or greater than, the alignment of the main face of the adjacent heritage place or historic building. Where a site is between two heritage places or historic buildings the greater of the two set-backs should be applied. |
| Materials | <p>Stone, brick, natural coloured bagged render and/or brick as the main external finish to walls to complement the historic built form. (RHCZ PDC 22)</p> <p>Brightly coloured or highly reflective materials or surfaces should not be used. (RHCZ PDC 23)</p> |
| Fencing | <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the intimate scale of existing historic development and should:</p> <ul style="list-style-type: none"> (a) not restrict the visibility of the building; (b) utilise original design and materials such as timber picket, timber dowelling or simple masonry and cast iron palisade; and (c) not exceed 0.9 metres in height. <p>Rear and side boundary fencing, behind the alignment of the main face of the dwelling, should not exceed 1.8 metres in height.</p> <p>Side fencing along street corners will continue the detailing of the front fence to the house alignment, with solid fencing beyond this point constructed of traditional materials.</p> |
| Setting and public realm features | Consistent pattern of narrow streets with dwellings built close to the street with minimal setbacks and separation distances |

Hackney South Historic Area Statement (NPSP3)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, on in new subzones, then the only remaining place in the Code's structure is in the Area Statements. *The following Area Statements are requested to be adopted* – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | Residential Development Plan doesn't specify |
| Dwelling Types (by definition) | Detached Dwelling Semi-detached Dwelling Row Dwelling |
| Allotments and subdivision patterns | Mainly small narrow fronted allotments, rear service lanes Some sizeable allotments along parts of Osborne Street The site area per dwelling: consistent with the surrounding historic development pattern and should not be less than 200 square metres. TNV includes minimum lot size but doesn't reference surrounding historic pattern Frontage widths currently not included in TNV (HDN Zone) The site for a dwelling should have a primary street frontage of not less than the following: (a) Detached Dwelling: 8 metres (b) Semi-detached dwelling: 6 metres (c) Row dwelling 6 metres. |
| Architectural style and features | Small, mainly single-fronted dwellings, in detached, semi-detached and row dwelling configurations; Some elevated dwellings along eastern side of Westbury Street New Development: |

Policy Review

Historic Area Statements

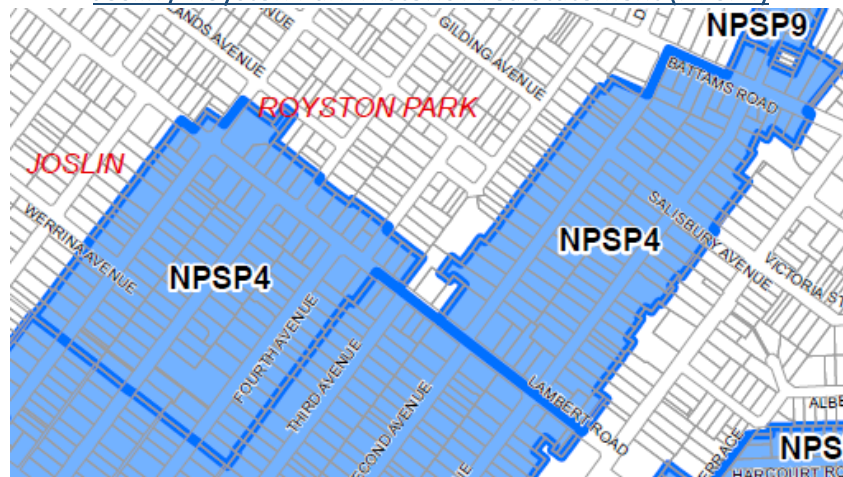
ATTACHMENT F

| | |
|-----------------------------------|--|
| | <p>Dwellings similar in style to original historic buildings in terms of scale and roof form, respect the integrity of the original buildings</p> <p>Dwellings will be simple in structure in plan</p> <p>All new dwellings will include verandahs along the primary frontage of the dwelling.</p> |
| Building height | Single-storey |
| Site coverage | Buildings should not cover more than 70 per cent of the total area of the site. |
| Building Siting | <p>New dwellings should reflect the closely packed arrangement of buildings on small narrow fronted allotments which are built close to the street frontage and generally only allow for the erection of dwellings with a single room width</p> <p>The front and side setbacks of new dwellings should reflect the pattern established by the adjoining dwellings and should be sited:</p> <ul style="list-style-type: none"> (a) close to the primary street frontage with a setback of no greater than 5 metres to the main face of the dwelling (excluding verandahs attached to or comprising part of a dwelling), except along Osborne Street where the setbacks should be determined by the pattern established by the adjacent dwellings; and (b) at a distance equal to or greater than, the alignment of the main face of the adjacent heritage place or contributory item. Where a site is between two heritage places or contributory items the greater of the two set-backs should be applied. <p>Rear lanes (shown on Map NPSP/1 (Overlay 4)) will be used for the purpose of vehicular access only, with no dwellings having their primary street frontage facing a lane</p> |
| Materials | <p>[Not stated]</p> <p>Stone, brick, natural coloured bagged render and/or brick as the main external finish to walls to complement the historic built form. (RHCZ PDC 22)</p> <p>Brightly coloured or highly reflective materials or surfaces should not be used. (RHCZ PDC 23)</p> |
| Fencing | <p>Generally low in height. original design and materials, such as timber picket, timber dowelling or simple masonry and cast iron palisade</p> <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the intimate scale of existing historic development and should:</p> <ul style="list-style-type: none"> (a) not restrict the visibility of the building; (b) utilise original design and materials such as timber picket, timber dowelling or simple masonry and cast iron palisade; and (c) not exceed 1.2 metres in height |
| Setting and public realm features | <p>Consistent pattern of narrow streets and rear service lanes; Rear lanes used for vehicular access; Streets lined with mature exotic street trees; Landscaped gardens to sizeable allotments.</p> |

Policy Review Historic Area Statements

ATTACHMENT F

Joslin / Royston Park Historic Area Statement (NPSP4)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. *The following Area Statements are requested to be adopted* – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | 1900s-1920s; Residential; Joslin/Royston Park Historic Area is divided into two separate locations: the area around First and Second Avenue, north of Lambert Road, in the suburb of Royston Park, and the area centred around Fourth, Fifth and Sixth Avenues in the suburb of Joslin. |
| Dwelling Types (by definition) | Detached Dwelling |
| Allotments and subdivision patterns | Regular pattern of large allotments Allotments consistent with the surrounding historic development pattern and not less than 600m2 TNV includes minimum lot size but doesn't reference surrounding historic pattern Frontage width currently not included in TNV Frontage with: 18m |
| Architectural style and features | Single storey detached dwellings Bungalows Edwardian (such as Queen Anne) and Federation dwelling styles; some Tudor style dwellings with a steeper roof pitch, tiled roof and heavy columns New Development: New dwellings to reflect the height and scale of the surrounding dwellings, maintain similar roof profiles, bulk and form, respecting detailing of the original buildings without directly replicating |
| Building height | Single-storey except where the predominant height in the immediate locality is two storey |
| Site coverage | Buildings should not cover more than 50 per cent of the total area of the site |

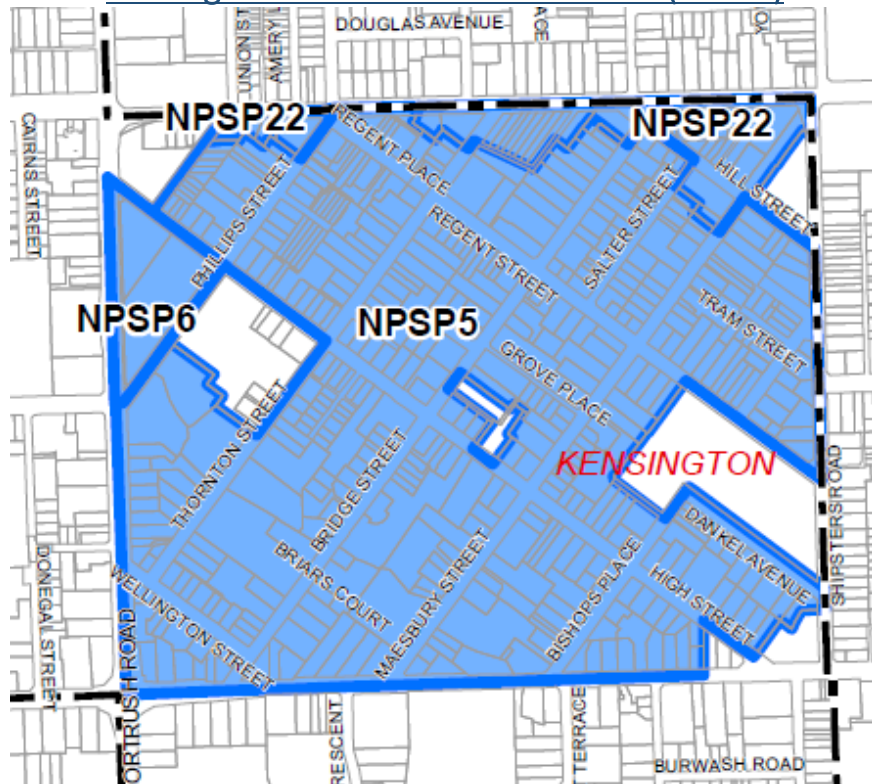
Policy Review

Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|--|
| Building Siting | <p>The front and side setbacks of new dwellings should reflect the pattern established by the adjoining dwellings and should be sited at a distance equal to or greater than, the alignment of the main face of the adjacent heritage place or contributory item. Where a site is between two heritage places or contributory items the greater of the two set-backs should be applied.</p> |
| Materials | Stone dwelling walls |
| Fencing | <p>generally low in height and open so not restrict the visibility of the dwelling;</p> <p>original design and materials, such timber picket, timber dowelling, masonry and cast iron palisade, or corrugated iron or mini orb within timber framing for cottages, villas and other Victorian dwellings</p> <p>Timber picket, timber paling or woven crimped wire, or corrugated iron or mini orb within timber framing for Edwardian dwellings</p> <p>Timber paling, wire mesh and timber or tube framing, woven crimped wire, or masonry with galvanised steel ribbon for Bungalow and Tudor house styles</p> <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the scale of existing historic development and should not exceed 1.2 metres in height if masonry, or a maximum of 1.5 metres in height if wrought iron, brush, timber and or wire or woven mesh, with masonry pillars able to be constructed up to a height of 2 metres;</p> <p>Flexibility for fencing types may be considered for properties located along roads of high traffic volume, such as Battams Road and Lambert Road. Note: this is not to be included if the demolition test for buildings in the HAO (PO 6.1) retains clause b which could be interpreted as allowing for demolition if the dwelling cannot be seen from the street</p> <p>Side and rear fences will be erected in traditional materials, such as timber, corrugated iron or well detailed masonry. Side fencing along street corners will continue the detailing of the front fence to the house alignment, solid fencing beyond this point will be erected in traditional materials.</p> |
| Setting and public realm features | <p>Locality characterised by regularity of the wide tree lined avenues</p> <p>Wide tree lined regular avenues with a high</p> <p>Landscaped garden setting, particularly in front of dwelling</p> <p>Streets lined with distinctive street trees</p> |

Kensington 1 Historic Area Statement (NPSP5)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

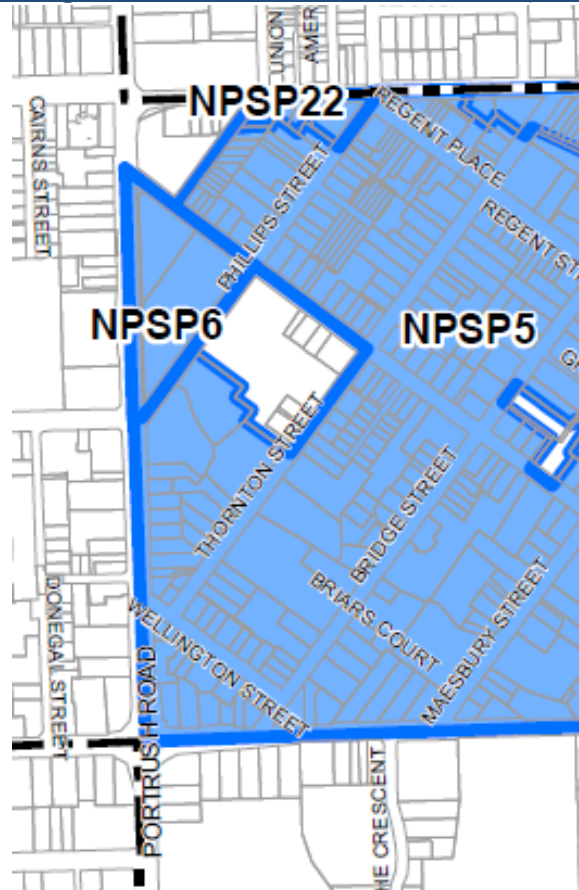
| | |
|---|---|
| Eras and themes of development | 1838-1860; 1861-1880; 1881-1900; 1901-1915; 1916-1939 Residential urban village |
| Dwelling Types (by definition) | Range of dwelling types |
| Allotments and subdivision patterns | [Not stated] TNV includes minimum lot size but doesn't reference surrounding historic pattern Average site area: 400m2 except where: The site of the development does not contribute positively to the historic character of the area. In this instance a lesser site area per dwelling may be considered provided that the development is not inconsistent with the predominant pattern of development in the immediate locality. |
| Architectural style and features | larger Victorian-style brick and stone buildings, Federation era brick and stone buildings and bungalow-styled buildings of the post-1918 period. Significant corner buildings which contribute to the character of the policy area will be conserved and their prominence maintained |
| Building height | [Not stated] |

Policy Review
Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|---|
| | <i>Development should not exceed Two storey</i> |
| Site coverage | Site coverage should be compatible with the site coverage of those buildings in the locality which contribute significantly to the historic character (RHCZ PDC 12) |
| Building Siting | N/A |
| Materials | Pise, stone or brick |
| Fencing | [Not stated] Fencing to complement the design of the dwelling. Low fencing rather than high solid masonry walls. (RHCZ Desired Character Statement) |
| Setting and public realm features | The unique diagonal street pattern of Kensington is an important part of its character. |

Kensington 2 Historic Area Statement (NPSP6)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

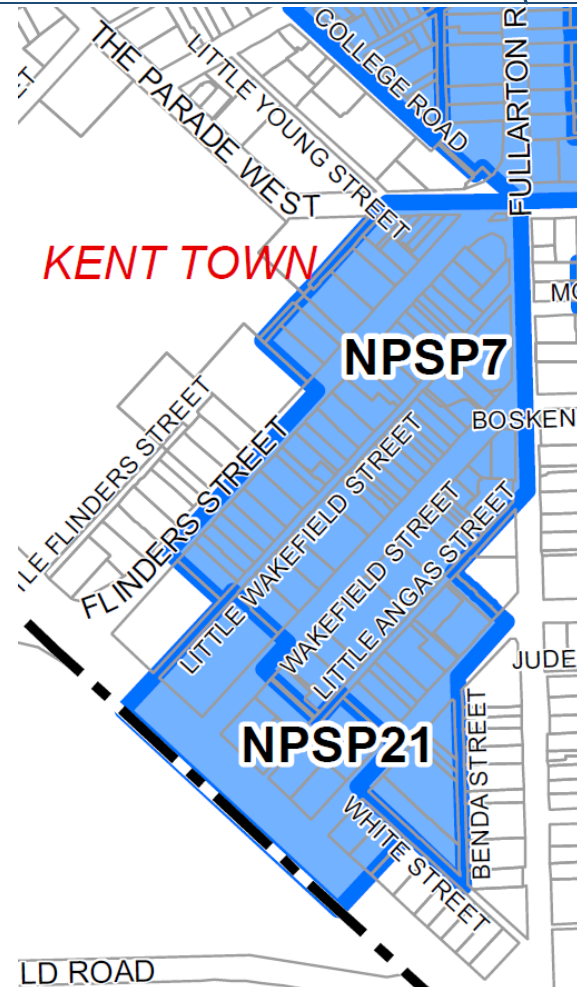
| | |
|---|---|
| Eras and themes of development | Dominant and historic institutional buildings of the St Joseph's Convent |
| Dwelling Types (by definition) | Range of dwelling types |
| Allotments and subdivision patterns | [Not stated] Average site area: 400m2 except where: The site of the development does not contribute positively to the historic character of the area. In this instance a lesser site area per dwelling may be considered provided that the development is not inconsistent with the predominant pattern of development in the immediate locality. TNV includes minimum lot size but doesn't reference surrounding historic pattern |
| Architectural style and features | St Joseph's Convent buildings |
| Building height | [Not stated] Development should not exceed two storey |

Policy Review
Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|--|
| Site coverage | Site coverage should be compatible with the site coverage of those buildings in the locality which contribute significantly to the historic character (RHCZ PDC 12) |
| Building Siting | No buildings will be erected between the existing St Joseph's Convent buildings and the Portrush Road frontage. |
| Materials | <i>[Not stated]</i> Stone, brick, natural coloured bagged render and/or brick as the main external finish to walls to complement the historic built form. (RHCZ PDC 22) Brightly coloured or highly reflective materials or surfaces should not be used. (RHCZ PDC 23) |
| Fencing | <i>[Not stated]</i> Fencing to complement the design of the dwelling. Low fencing rather than high solid masonry walls. (RHCZ Desired Character Statement) |
| Setting and public realm features | <i>[Not stated]</i> Car parking and service areas should be located at the rear of buildings |

Kent Town 1 Historic Area Statement (NPSP7)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, on in new subzones, then the only remaining place in the Code's structure is in the Area Statements. The following Area Statements are requested to be adopted – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

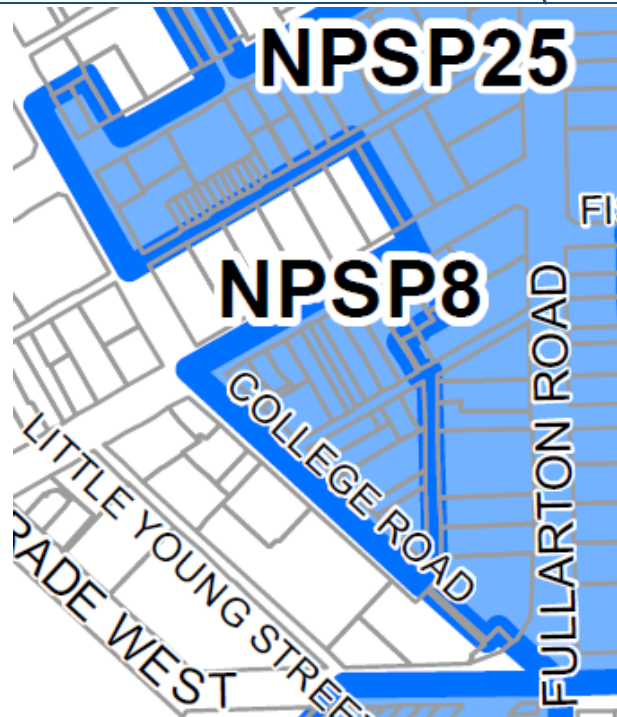
| | |
|---|---|
| Eras and themes of development | Pre 1890 (Victorian) and 1890-1915 (turn-of-the-century), 1915-1940(bungalows). |
| Dwelling Types (by definition) | Range of dwelling types |
| Allotments and subdivision patterns | [Not stated] (In addition ot large scale villas) Further residential intensification by way of the development of smaller-scale row houses and courtyard-style housing on Little Angas and Little Wakefield Streets frontages is appropriate. |
| Architectural style and features | large-scale Victorian and turn-of-the-century villas set well back from the street frontage in mature garden settings together with other historic buildings including cottages and bungalows. |
| Building height | [Not stated] |

Policy Review
Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|--|
| | Development should not exceed two storeys |
| Site coverage | Site coverage should be compatible with the site coverage of those buildings in the locality which contribute significantly to the historic character. (RHCZ PDC 12) |
| Building Siting | |
| Materials | <i>[Not stated]</i> Stone, brick, natural coloured bagged render and/or brick as the main external finish to walls to complement the historic built form. (RHCZ PDC 22) Brightly coloured or highly reflective materials or surfaces should not be used. (RHCZ PDC 23) |
| Fencing | <i>[Not stated]</i> Fencing to complement the design of the dwelling. Low fencing rather than high solid masonry walls. (RHCZ Desired Character Statement) |
| Setting and public realm features | <i>[Not stated]</i> |

Kent Town 2 Historic Area Statement (NPSP8)

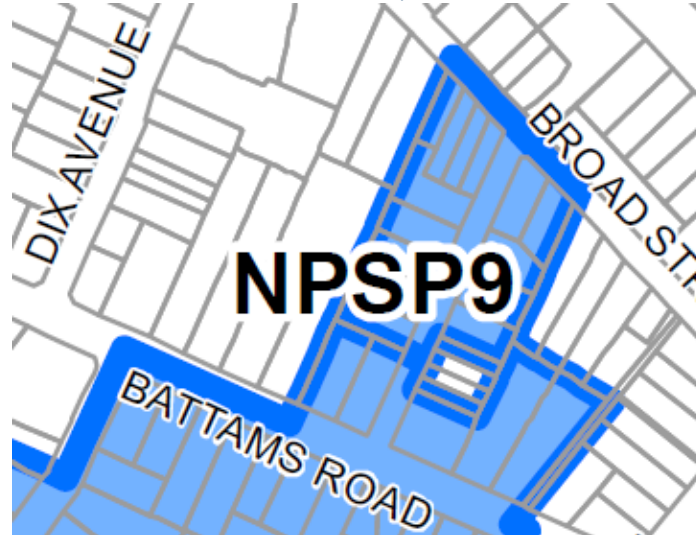


In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, on in new subzones, then the only remaining place in the Code's structure is in the Area Statements. The following Area Statements are requested to be adopted – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy). Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | Residential Pre-1920s |
| Dwelling Types (by definition) | Range of dwelling types |
| Allotments and subdivision patterns | [Not stated] Further residential intensification by way of the development of row houses and courtyard-style houses on the Dew Street frontage is appropriate. |
| Architectural style and features | double and single-fronted cottages |
| Building height | [Not stated] Development should not exceed two storeys |
| Site coverage | Site coverage should be compatible with the site coverage of those buildings in the locality which contribute significantly to the historic character (RHCZ PDC 12) |
| Building Siting | |
| Materials | bluestone or sandstone |
| Fencing | [Not stated] Fencing to complement the design of the dwelling. Low fencing rather than high solid masonry walls. (RHCZ Desired Character Statement) |
| Setting and public realm features | consistency of front set-backs, in particular, the row of double-fronted houses in Grenfell Street. |

Marden (Broad Street / Pollock Avenue) Historic Area Statement (NPSP9)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|---|
| Eras and themes of development | Small group of dwellings, dating from 1910s residential |
| Dwelling Types (by definition) | Detached Dwelling Semi-detached Dwelling (only on Broad Street) |
| Allotments and subdivision patterns | detached dwellings of modest proportions, set relatively close to Pollock Avenue mix of detached and semi-detached dwellings on Broad Street. TNV gives 600m2 site area which is incorrect Site area should be consistent with surrounding historic development pattern and should not be less than 300m2 TNV only gives frontage with for Detached Dwelling but states 18m, not 17m The site for a dwelling should have a primary street frontage of not less than the following: (a) Detached dwelling: 17 metres (b) Semi-detached Dwelling (along Broad Street only): 9 metres |
| Architectural style and features | Detached dwellings of modest proportions Features such as the typical bull-nose verandah and gable ends, which are elaborated with strapping or finials New Development: Reflect the scale, similar roof profiles, and detailing of the existing dwellings |

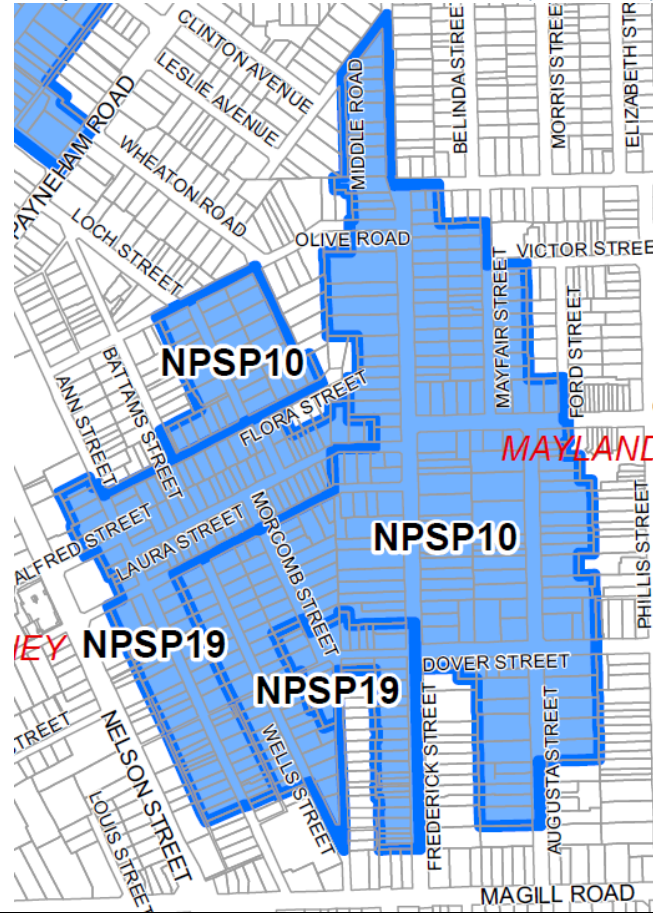
Policy Review

Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|--|
| Building height | single-storey |
| Site coverage | Buildings should not cover more than 50 per cent of the total area of the site. |
| Building Siting | <p>Dwellings set relatively close to Pollock Avenue</p> <p>The front and side setbacks of new dwellings should reflect the pattern established by the adjoining dwellings and should be sited at a distance equal to or greater than, the alignment of the main face of the adjacent contributory item. Where a site is between two contributory items the greater of the two set-backs should be applied.</p> |
| Materials | unpainted stone, corrugated iron roofing materials and joinery |
| Fencing | <p>fencing that is compatible with the period and style of the dwellings.</p> <p>Lower and open style fencing</p> <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the scale of existing historic development and should:</p> <ul style="list-style-type: none"> (a) not detract from the character or restrict the visibility of the building; (b) utilise original design and materials such as timber picket and paling, woven crimped wire, or corrugated iron or mini orb within timber framing; and (c) not exceed 1.2 metres in height for materials such as masonry or a maximum of 1.5 metres if height for materials such as wrought iron, timber and wire or woven mesh, with masonry pillars able to be constructed up to a height of 2 metres. <p>Side and rear fences will be constructed of traditional materials, such as timber, corrugated iron or well detailed masonry. Side fences along the Broad Street/ Pollock Avenue street corners will continue the open detailing of the front fence to the house alignment, solid fencing beyond this point will be considered using traditional materials.</p> <p>Flexibility for fencing types may be considered for properties located along Broad Street due to the higher traffic volume.</p> <p>Note: this is not to be included if the demolition test for buildings in the HAO (PO 6.1) retains clause b which could be interpreted as allowing for demolition if the dwelling cannot be seen from the street</p> |
| Setting and public realm features | narrow street width, street plantings and footpath treatments of Pollock Avenue. |

Maylands Historic Area Statement (NPSP10)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. *The following Area Statements are requested to be adopted* – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy). **Highlighted text = reinstated policy guidance from current Development Plan**

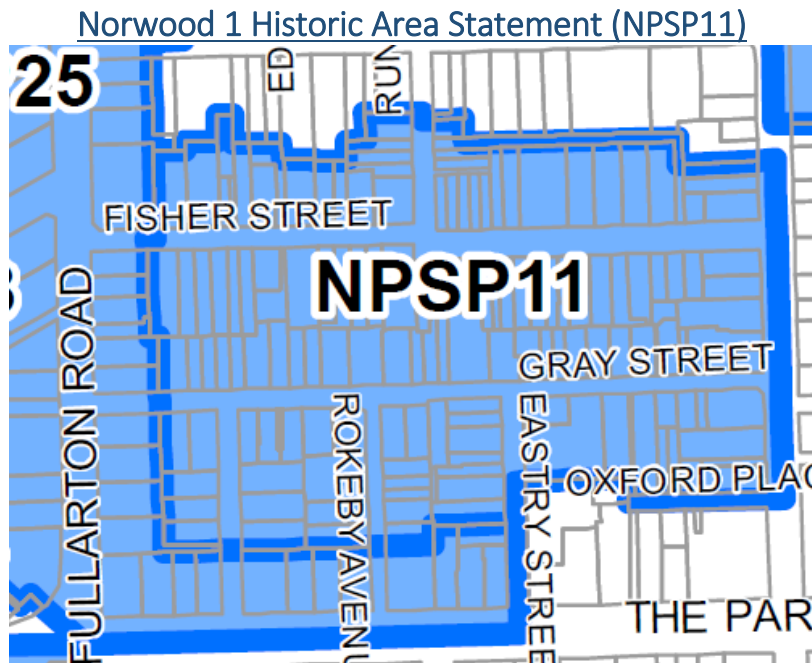
| | |
|---|---|
| Eras and themes of development | late 1800s <i>This era applies to a particular type of dwelling referred to in the desired character statement. Other dwelling types which contribute to the character of the area may have been constructed later residential and corner shops</i> |
| Dwelling Types (by definition) | Detached Dwelling Semi-detached Dwelling |
| Allotments and subdivision patterns | Similar to Stepney area but with greater percentage of larger allotments, with proportionately larger homes Allotments of generous size New dwellings and some medium density development limited to replacement of non-contributing buildings or rear of allotment opportunities where appropriate Site area consistent with the surrounding historic development pattern and not less than 300m² <i>TNV includes minimum lot size but doesn't reference surrounding historic pattern</i> |

Policy Review

Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|--|
| | <p>The site for a dwelling should have a primary street frontage of not less than the following:</p> <ul style="list-style-type: none"> (a) Detached Dwelling: 15 metres (b) Semi-detached dwelling: 9 metres |
| Architectural style and features | <p>double-fronted detached villas and cottages of modest proportions with substantial established gardens</p> <p>Single-fronted attached dwellings of sandstone and bluestone construction</p> <p>remaining corner shop structures</p> <p>New Development: Reflect the scale of the existing dwellings, maintain similar roof profiles, respect the detail of original buildings All new dwellings will include verandahs along the primary frontage</p> |
| Building height | single-storey |
| Site coverage | Buildings should not cover more than 50 per cent of the total area of the site. |
| Building Siting | Dwellings will continue to be setback from the boundary of roads at a distance equal to or greater than, the alignment of the main face of the adjacent heritage place or contributory item (and where a site is between two heritage places or contributory items the greater of the two setbacks will be applied). |
| Materials | sandstone and bluestone |
| Fencing | <p>compatible with the age and style of the dwelling</p> <p>Lower and open fencing</p> <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the scale of existing historic development and should:</p> <ul style="list-style-type: none"> (a) not detract from the character or restrict the visibility of the building; (b) utilise original design and materials such as timber picket, timber dowelling, masonry and cast iron palisade, or corrugated iron or mini orb within timber framing; and (c) not exceed 1.2 metres in height for materials such as masonry or a maximum of 1.5 metres in height for all other materials. <p>Side and rear fences constructed of traditional materials,, such as timber, corrugated iron or well detailed masonry Side fences along street corners will continue the detailing of the front fence to the house alignment, solid fencing beyond this point will be constructed in traditional materials.</p> |
| Setting and public realm features | <p>Relatively wide streets in the original subdivision layout</p> <p>Landscaping around a dwelling, particularly in the front garden, is an important design element in this Policy Area as it enhances the dwelling and adds to the appearance and quality of the streetscape.</p> <p>New Development: Incorporate appropriate garden setting</p> <p>Street trees are present in most of the streets and make a solid contribution to the overall character.</p> |



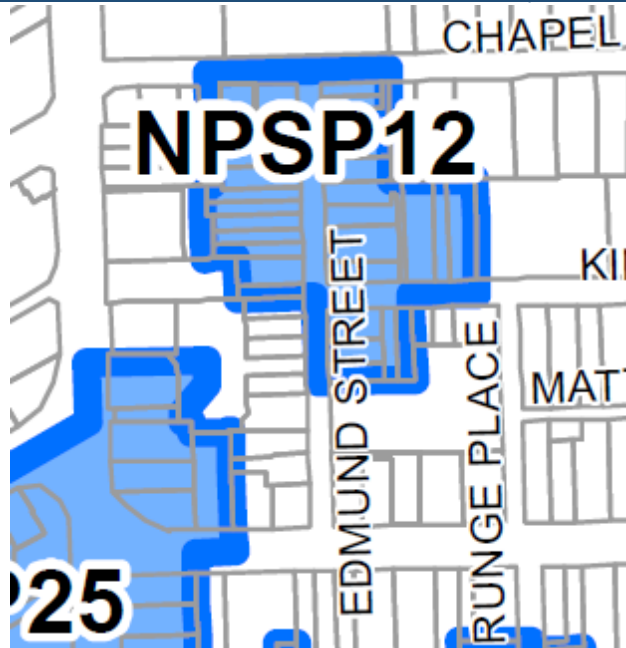
In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, on in new subzones, then the only remaining place in the Code's structure is in the Area Statements. *The following Area Statements are requested to be adopted* – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | Late 19th Century (pre 1920s) residential |
| Dwelling Types (by definition) | Range of dwelling types |
| Allotments and subdivision patterns | Not stated Allotments consistent with surrounding development pattern and average site area should not be less than 200m ² TNV is missing |
| Architectural style and features | single-fronted and double-fronted cottages |
| Building height | Not stated Development should not exceed two storeys |
| Site coverage | |
| Building Siting | The consistency of front set-backs in each streetscape will be maintained. |
| Materials | bluestone, sandstone, pise or brick |
| Fencing | Not stated Fencing to complement the design of the dwelling. Low fencing rather than high solid masonry walls. (RHCZ Desired Character Statement) |
| Setting and public realm features | Not stated |

Norwood 2 Historic Area Statement (NPSP12)



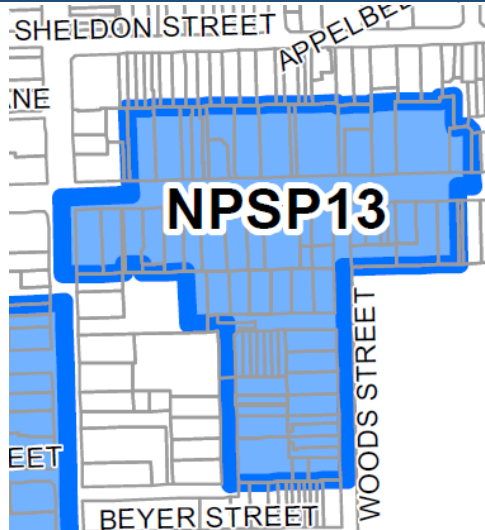
In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|---|
| Eras and themes of development | late 19th Century and turn-of-the-century residential |
| Dwelling Types (by definition) | Range of dwelling types |
| Allotments and subdivision patterns | [Not stated] Average site area per dwelling should not be less than 200m ² |
| Architectural style and features | single-fronted, double-fronted, semi-detached and row cottages limited front and side set-backs |
| Building height | [Not stated] Development should not exceed two storeys |
| Site coverage | Site coverage should be compatible with the site coverage of those buildings in the locality which contribute significantly to the historic character (RHCZ PDC 12) |
| Building Siting | Limited front and side setbacks |
| Materials | bluestone or sandstone with brick |
| Fencing | [Not stated] Fencing to complement the design of the dwelling. Low fencing rather than high solid masonry walls. (RHCZ Desired Character Statement) |
| Setting and public realm features | [Not stated] |

Norwood 3 Historic Area Statement (NPSP13)

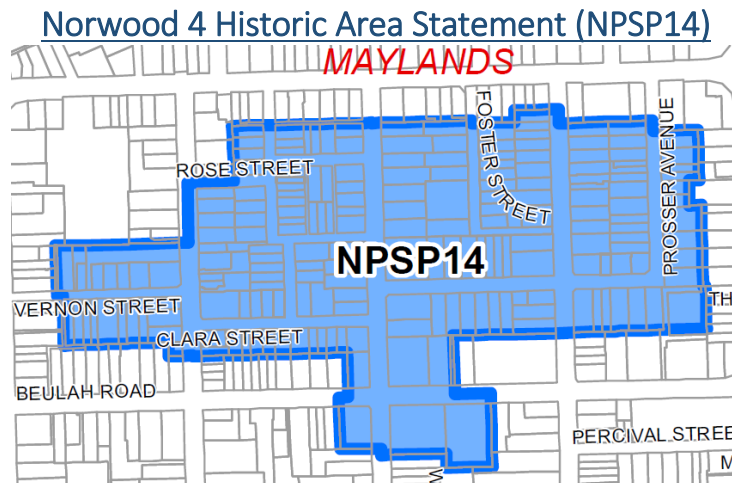


In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | Pre 1890s (Victorian) and turn-of-the-century (pre 1920) residential |
| Dwelling Types (by definition) | Range of dwelling types |
| Allotments and subdivision patterns | [Not stated] Average site area: 250m2 except where the site does not contribute, in which case the average site area should not be less than 200m2 provided it is not inconsistent with pattern of allotments in the locality TNV only references 250m2 |
| Architectural style and features | villas and double-fronted cottages set-back consistently with landscaped frontages Maintain prominence of key heritage buildings e.g. St Bartholomew's Church |
| Building height | [Not stated] Development should not exceed two storeys |
| Site coverage | Site coverage should be compatible with the site coverage of those buildings in the locality which contribute significantly to the historic character (RHCZ PDC 12) |
| Building Siting | |
| Materials | sandstone or bluestone with brick |
| Fencing | [Not stated] Fencing to complement the design of the dwelling. Low fencing rather than high solid masonry walls. (RHCZ Desired Character Statement) |
| Setting and public realm features | [Not stated] set-back consistently with landscaped frontages |



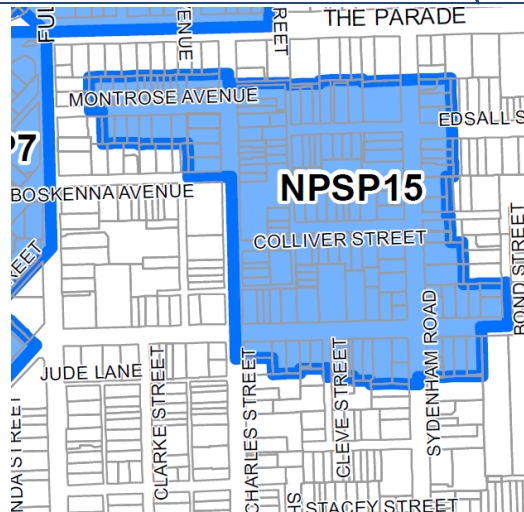
In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, on in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|---|
| Eras and themes of development | late 19th Century, early 20th Century and some later period dwelling (Pre 1940) residential |
| Dwelling Types (by definition) | Range of dwelling types |
| Allotments and subdivision patterns | [Not stated] Average site area: 300m ² except where the site does not contribute, in which case the average site area should not be less than 200m ² provided it is not inconsistent with pattern of allotments in the locality TNV is missing |
| Architectural style and features | late 19th Century small-scale maisonettes and single and double-fronted cottages (mainly in Moulden, Clara, Bonney, Vernon and Foster Streets), early 20th Century villas (mainly in George and Queen Streets, the western side of Moulden Street and the western end of Prosser Avenue) and some later period bungalows, including Tudor-style bungalows mainly in the eastern part of Prosser Avenue but also in George Street). generally with landscaped frontages |
| Building height | [Not stated] Development should not exceed two storey |
| Site coverage | Site coverage should be compatible with the site coverage of those buildings in the locality which contribute significantly to the historic character (RHCZ PDC 12) |
| Building Siting | Front setbacks of varying depths in various streetscapes |
| Materials | bluestone or sandstone and brick |
| Fencing | [Not stated] Fencing to complement the design of the dwelling. Low fencing rather than high solid masonry walls. (RHCZ Desired Character Statement) |
| Setting and public realm features | [Not stated] Dwellings generally have landscaped frontages] |

Norwood 5 Historic Area Statement (NPSP15)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. The following Area Statements are requested to be adopted – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

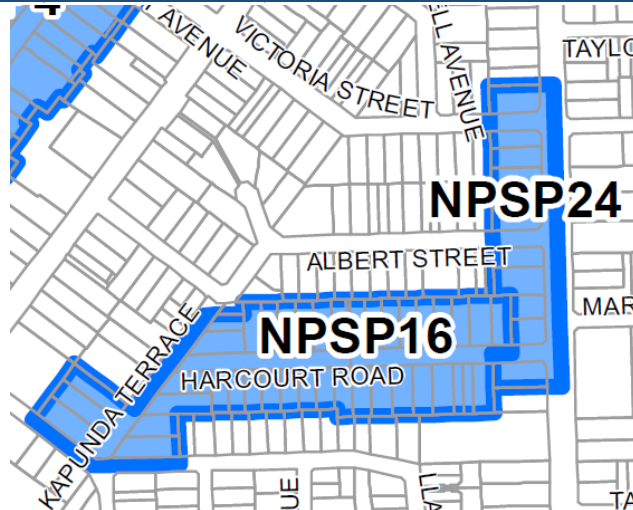
| | |
|---|---|
| Eras and themes of development | 1860 to 1920 Residential and Corner shops |
| Dwelling Types (by definition) | Range of dwelling types |
| Allotments and subdivision patterns | <p>The consistency of the streetscapes of Willis and Colliver Streets, Montrose Avenue and the western side of Charles Street either side of the intersection with Montrose Avenue will be maintained, as will the development of a more generous scale which fronts William Street and the overall topography relating to the alignment of First Creek through the area.</p> <p>Average site area should be 250m² except where the site does not contribute, in which case the average site area should not be less than 200m² provided it is not inconsistent with the pattern of allotments in the locality</p> <p>TNV only references 250m²</p> |
| Architectural style and features | <p>single-fronted and double-fronted cottages, semi-detached cottages, other semi-detached dwellings, villas of various forms, and a mansion</p> <p>The area's remaining corner shop structures will be conserved and their prominence maintained.</p> |
| Building height | <p>[Not stated]</p> <p>Development should not exceed two storeys</p> |
| Site coverage | Site coverage should be compatible with the site coverage of those buildings in the locality which contribute significantly to the historic character (RHCZ PDC 12) |
| Building Siting | [Not stated] |
| Materials | Buildings typically constructed of bluestone or sandstone, often with the side and rear walls of brick or rubble, and incorporating hipped or gable- |

Policy Review
Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|---|
| | end roofs of corrugated iron together with verandahs typical of the era in which the respective buildings were constructed |
| Fencing | [Not stated] Fencing to complement the design of the dwelling. Low fencing rather than high solid masonry walls. (RHCZ Desired Character Statement) |
| Setting and public realm features | [Not stated] |

Payneham (Harcourt Road) Historic Area Statement (NPSP16)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. The following Area Statements are requested to be adopted – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|--|---|
| Eras and themes of development | early 1900s and 1918-30 residential local shop |
| Dwelling Types (by definition) | Detached dwelling |
| Allotments and subdivision patterns | medium sized allotments Site area should be consistent with the surrounding historic development and should not be less than 300m ² TNV only references 300m² Detached dwelling frontage: 15m TNV for frontage width is missing |
| Architectural style and features | Early 1900s architectural housing styles in Harcourt Road – Post Federation Villa style dwellings State Bank bungalows in Kapunda Terrace. local shop and attached dwelling at the junction of Harcourt Street Road and Kapunda Terrace original verandahs - Any verandahs which need replacing, will be reinstated with a replicate incorporating the original design elements. Well preserved housing stock, particularly in Harcourt Road openings in external walls (ie doors and windows), particularly along the front elevations, will not be altered New Development: |

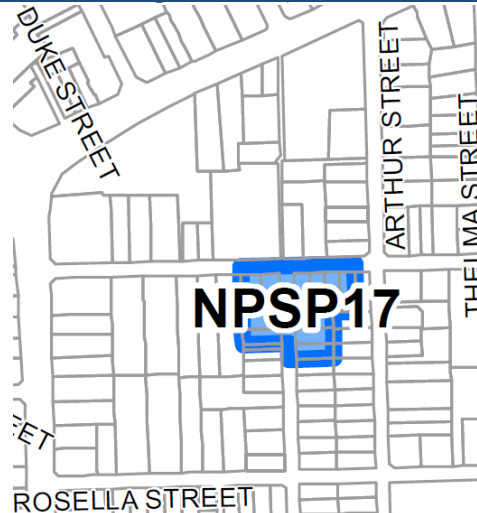
Policy Review

Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|---|
| | <p>Reflect the scale of existing dwellings, incorporate similar roof profiles, and respect the detailing of the original adjoining buildings</p> <p>Any new dwellings will include verandahs along the primary frontage.</p> |
| Building height | single-storey |
| Site coverage | Buildings should not cover more than 50 per cent of the total area of the site |
| Building Siting | <p>The front and side setbacks of new dwellings should reflect the pattern established by the adjoining dwellings and should be sited at a distance equal to or greater than, the alignment of the main face of the adjacent heritage place or contributory item. Where a site is between two heritage places or contributory items the greater of the two set-backs should be applied.</p> <p>Buildings should be sited in an appropriate garden setting</p> |
| Materials | unpainted stone, corrugated iron roofing materials and joinery |
| Fencing | <p>fencing that is compatible with the age and style of the dwelling</p> <p>Solid high front fences such as brush or masonry are generally not sympathetic to the character of the streetscape and will be avoided in favour of a lower and more open style of fencing, which allows an appreciation of the detailing of the dwelling.</p> <p>Side and rear fences will be constructed of traditional materials, such as timber, corrugated iron, brush or well detailed masonry. Side fences along street corners will continue the open detailing of the front fence to the house alignment, solid fencing beyond this point will be considered using traditional materials.</p> <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the scale of existing historic development and should:</p> <ul style="list-style-type: none"> (a) not detract from the character or restrict the visibility of the building; (b) not exceed 1.2 metres in height for materials such as masonry or a maximum of 1.5 metres in height for materials such as wrought iron, timber and wire or woven mesh, with masonry pillars able to be constructed up to a height of 2 metres; and (c) utilise original design and materials such as: <ul style="list-style-type: none"> (i) timber picket, timber dowelling, masonry and cast iron palisade, or corrugated iron or mini orb within timber framing for villas; or (ii) timber picket, timber paling, woven crimped wire, or corrugated iron or mini orb within timber framing for Edwardian dwellings; or (iii) timber paling, wire mesh and timber or tube framing, woven crimped wire, or masonry with galvanised steel ribbon for bungalows. |
| Setting and public realm features | The consistent early tree planting of mature natives species, including Lilly Pillys and Myrtles, particularly along Harcourt Avenue, will continue to define and unify the historic character of this street. |

Payneham (Henry Street/George Street) Historic Area Statement (NPSP17)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. The following Area Statements are requested to be adopted – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|---|
| Eras and themes of development | pre 1890s (Victorian) and 1890s-1910s (Edwardian /Federation) residential |
| Dwelling Types (by definition) | Detached Dwelling Semi-detached dwelling |
| Allotments and subdivision patterns | historic settlement sections of George Street and Henry Street, Payneham closely set on small, narrow fronted allotments and built close to the street with minimal setbacks and separation distances. original verandahs The site for a dwelling should have a primary street frontage of not less than the following: (a) Detached Dwelling: 12 metres (b) Semi-detached Dwelling: 6 metres TNV for frontage width is missing |
| Architectural style and features | Small Victorian and Edwardian cottages, in detached and semi-detached configuration, which are an important relic of early residential development in this section of Payneham openings in external walls (ie doors and windows), particularly along the front elevations, will not be altered. Features such as the form of the original verandahs will continue to distinguish this area. Any verandahs which need replacing, will be reinstated with a replicate incorporating the original design elements. |

Policy Review

Historic Area Statements

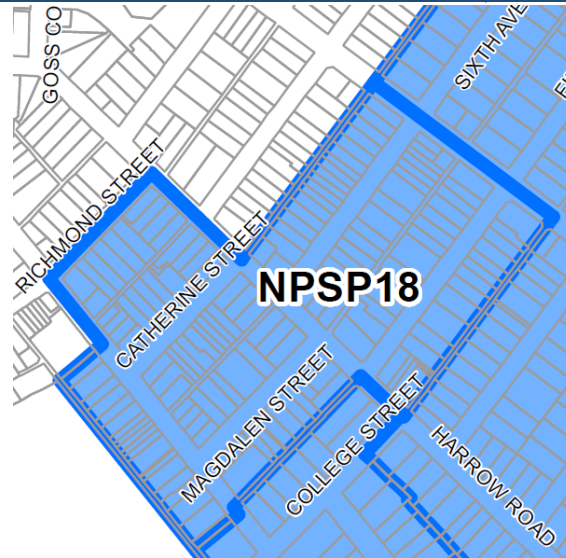
ATTACHMENT F

| | |
|-----------------------------------|--|
| | New development will reflect the scale, detailing and material of the existing dwellings and will maintain similar roof profiles, as well as respect the detailing of the original buildings. Dwellings will continue to be simple in structure and plan. |
| Building height | Single storey |
| Site coverage | Buildings should not cover more than 65 per cent of the total area of the site. |
| Building Siting | <p>Dwellings closely set on small, narrow fronted allotments and built close to the street with minimal setbacks and separation distances.</p> <p>Development should reflect the front and side setback pattern established by the adjoining dwellings and should be sited:</p> <ul style="list-style-type: none"> (a) close to the primary street frontage; and (b) at a distance equal to or greater than, the alignment of the main face of the adjacent contributory item. Where a site is between two contributory items the greater of the two setbacks should be applied. |
| Materials | unpainted sandstone and bluestone, corrugated iron roofing materials and joinery |
| Fencing | <p>fencing that is compatible with the dwelling</p> <p>Solid high front fences, such as brush or masonry, are generally not sympathetic to the character of the streetscape and will be avoided in favour of a lower and more open style of fencing, such as timber picket, which allows the integration of the dwelling and the narrow front garden into the public realm of the streetscape.</p> <p>Side and rear fences will be constructed of traditional materials, such as timber, corrugated iron or well detailed masonry.</p> <p>Side fences along the Henry Street/George Street corners will continue the open detailing of the front fence to the house alignment, solid fencing beyond this point will be considered using traditional materials</p> <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the intimate scale of existing historic development and should:</p> <ul style="list-style-type: none"> (a) not detract from the character or restrict the visibility of the building; (b) utilise original design and materials such as timber picket, timber dowelling, simple masonry and cast iron palisade, or corrugated iron or mini orb within timber framing; and (c) not exceed 1.2 metres in height |
| Setting and public realm features | distinctive historic streetscape character established through the pattern of narrow streets |

Policy Review Historic Area Statements

ATTACHMENT F

St Peters Historic Area Statement (NPSP18)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. *The following Area Statements are requested to be adopted* – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|--|--|
| Eras and themes of development | <p>Residential 1870 – 1930s</p> <p><i>These eras are not referenced in the Development Plan but are in heritage surveys undertaken for the area. Currently contributing buildings are identified as Contributory Items, whereas under the Code the year built is expected to fulfil an important role in understanding which buildings should or should not be demolished</i></p> |
| Dwelling Types (by definition) | <p>Detached Dwelling Semi-detached Dwelling</p> |
| Allotments and subdivision patterns | <p>mix of close-set, single-fronted cottages on narrow allotments and a range of cottages and villas set on larger allotments with more substantial established gardens, in wide streets, often with rear service lanes</p> <p>In College Park and along Fifth and Sixth Avenue - small to medium sized allotments</p> <p>In this section of First Avenue - modest sized allotments</p> <p>Site area not less than 300m² <i>TNV says 900m² which is incorrect</i></p> <p>The site for a dwelling should have a primary street frontage of not less than 80 per cent of the average site frontages of the adjoining sites and in any event should not be less than the following:</p> <ul style="list-style-type: none"> (a) Detached Dwelling: 13 metres (b) Semi-detached dwelling (not including First Avenue St Peters): 9 metres (c) Semi-detached dwelling (along First Avenue St Peters) 7 metres <p><i>Frontage width TNV is missing</i></p> |

Policy Review

Historic Area Statements

ATTACHMENT F

| | |
|----------------------------------|---|
| Architectural style and features | <p>In College Park and along Fifth and Sixth Avenue - mainly single-storey double-fronted villas and detached dwellings of modest proportions with some single-fronted dwellings</p> <p>In this section of First Avenue - reasonably compact single-fronted, double-fronted, and villa-type dwellings</p> <p>New Development:</p> <p>Reflect the scale of existing dwellings and maintain similar roof profiles as well as respect the detailing of the original buildings</p> <p>Any new dwellings will include verandahs along the primary frontage.</p> |
| Building height | single storey |
| Site coverage | Buildings should not cover more than 50 per cent of the total area of the site |
| Building Siting | <p>Close-set cottages on narrow allotments</p> <p>Cottages and villas on larger allotments with more substantial established gardens</p> <p>The front and side setbacks of new dwellings should reflect the pattern established by the adjoining dwellings and should be sited at a distance equal to or greater than, the alignment of the main face of the adjacent heritage place or contributory item. Where a site is between two heritage places or contributory items the greater of the two set-backs should be applied.</p> <p>No dwellings will have their primary street frontage facing a lane.</p> |
| Materials | sandstone and bluestone construction |
| Fencing | <p>fencing that is compatible with the period and style of the dwelling</p> <p>Solid high front fences such as brush or masonry are generally not sympathetic to the character of the streetscape and will be avoided in favour of a lower and more open style of fencing which allows an appreciation of the detailing of the dwelling.</p> <p>Flexibility for fencing types may be considered for properties located along roads of high traffic volume, such as Harrow Road.</p> <p>Note: this is not to be included if the demolition test for buildings in the HAO (PO 6.1) retains clause b which could be interpreted as allowing for demolition if the dwelling cannot be seen from the street</p> <p>Side and rear fences will be constructed of traditional materials, such as timber, corrugated iron, brush or well detailed masonry. Side fences along street corners will continue the open detailing of the front fence to the house alignment, solid fencing beyond this point will be considered using traditional materials.</p> <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the scale of existing historic development and should:</p> <ul style="list-style-type: none"> (a) not detract from the character or restrict the visibility of the building; (b) utilise original design and materials such as timber picket, timber dowelling, masonry and cast iron palisade, or corrugated iron or mini orb within timber framing; and (c) not exceed 1.2 metres in height for materials such as masonry or a maximum of 1.5 metres in height for materials such as wrought iron, timber and wire or woven mesh, with masonry pillars able to be constructed up to a height of 2 metres |

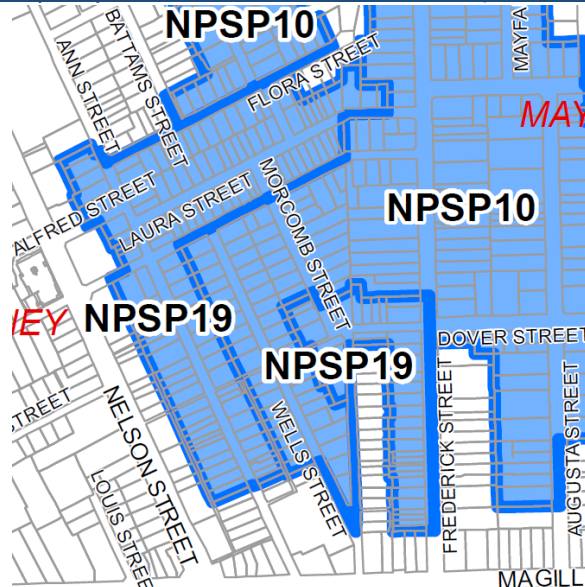
Policy Review

Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|---|
| Setting and public realm features | <p>In College Park and along Fifth and Sixth Avenue - Reasonably wide streets are characteristic of this area, with significant street planting and fenced front boundaries</p> <p>Rear access lanes</p> <p>Vehicle access to sites and garaging should be from rear access lanes where possible.</p> <p>Landscaping around a dwelling, particularly in the front garden, is an important design element in this Policy Area as it enhances the dwelling and adds to the appearance and quality of the streetscape. Both new and existing dwellings will incorporate an appropriate garden setting. The streets will continue to be lined with mature exotic street trees in situations where they can be practically grown.</p> |
|-----------------------------------|---|

Stepney Historic Area Statement (NPSP19)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. *The following Area Statements are requested to be adopted* – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | <p>Residential 1850 – 1890s</p> <p><i>These eras are not referenced in the Development Plan but are in heritage surveys undertaken for the area. Currently contributing buildings are identified as Contributory Items, whereas under the Code the year built is expected to fulfil an important role in understanding which buildings should or should not be demolished</i></p> |
| Dwelling Types (by definition) | <p>Detached Dwelling Semi-detached Dwelling Row Dwelling</p> |
| Allotments and subdivision patterns | <p>intricate pattern of development narrow streets and built on small, narrow-fronted allotments close to the street frontage with minimal setbacks and separation</p> <p>Site area not less than 200m²</p> <p>The site for a dwelling should have a primary street frontage of not less than the following:</p> <ul style="list-style-type: none"> (a) Detached Dwelling: 8 metres (b) Semi-detached dwelling (with rear lane access): 6 metres (c) Semi-detached dwelling (not including rear lane access) 8 metres (d) Row dwelling (with rear lane access) 6 metres <p><i>Frontage with TNV is missing (Housing Diveristy Zone)</i></p> |

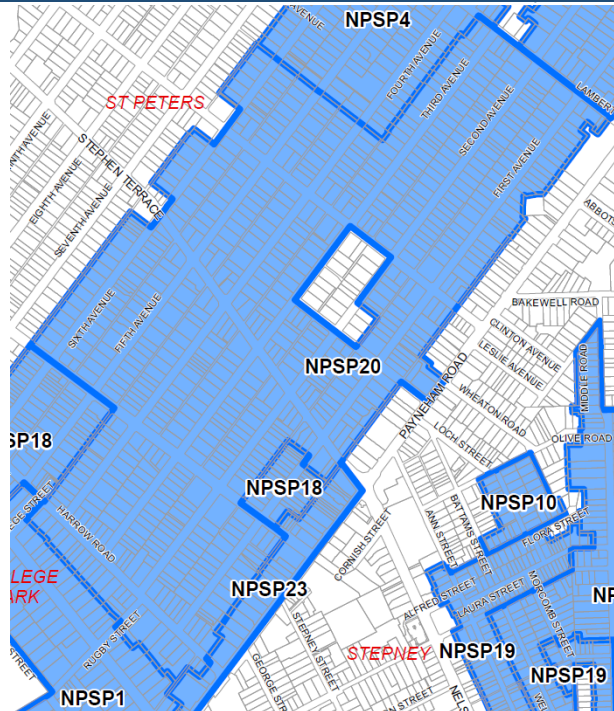
Policy Review

Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|---|
| Architectural style and features | <p>single and double fronted single storey cottages, in detached, semi-detached and row dwelling configurations, with some modest villas and bungalows.</p> <p>New Development: Dwellings will continue to be simple in structure and plan All new dwellings will include verandahs to the primary frontage of the dwelling.</p> |
| Building height | <p>[Not stated]</p> <p>Development should not be more than one-storey above natural ground level.</p> |
| Site coverage | Buildings should not cover more than 60 per cent of the total area of the site. |
| Building Siting | <p>Dwellings built on small, narrow-fronted allotments, close to the street frontage with minimal setbacks and separation.</p> <p>No dwellings will have their primary street frontage facing a lane.</p> <p>The setbacks of new dwellings should reflect the predominant setback pattern established by the adjoining dwellings and should be sited at a distance equal to or greater than, the alignment of the main face of the adjacent heritage place or contributory item. Where a site is between two heritage places or contributory items the greater of the two setbacks should be applied.</p> |
| Materials | bluestone and sandstone |
| Fencing | <p>fencing that is compatible with the period and style of the dwelling</p> <p>The erection of high fencing at the front will not be encouraged as this obscures the building from the street and interrupts the pattern of built form fronting narrow roads. This will be avoided in favour of lower and more open fencing, which allows an appreciation of the detailing of the dwelling</p> <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the intimate scale of existing historic development and should:</p> <ul style="list-style-type: none"> (a) not restrict the visibility of the building; (b) utilise original design and materials such as timber picket, timber dowelling or simple masonry and cast iron palisade; and (c) not exceed 1.2 metres in height |
| Setting and public realm features | <p>Street trees currently feature to a varying degree due to the species selection and age of planting</p> <p>Rear access lanes</p> |

The Avenues Historic Area Statement (NPSP20)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|---|
| Eras and themes of development | late 1870s and 1900, 1900s and the 1920s, and inter-war residential |
| Dwelling Types (by definition) | Detached dwelling |
| Allotments and subdivision patterns | Regular pattern of large allotments on wide streets with rear service lanes (in St Peters) Historic streetscape character created by the regularity of the avenues and the development patterns that have formed around them Minimum frontage width of detached dwellings: 18m Frontage width TNV is missing |
| Architectural style and features | In St Peters – regular pattern of large allotments with rear service lanes predominantly single-storey, detached, late Victorian Italianate villas of reasonably substantial proportions Elsewhere - the consistent styles of detached late Victorian Italianate villas of reasonably substantial proportions. Double fronted asymmetrical dwellings are the most common dwelling type, although there are a range of symmetrical dwellings, East Adelaide Company dwellings and some larger villas and mansions |

Policy Review

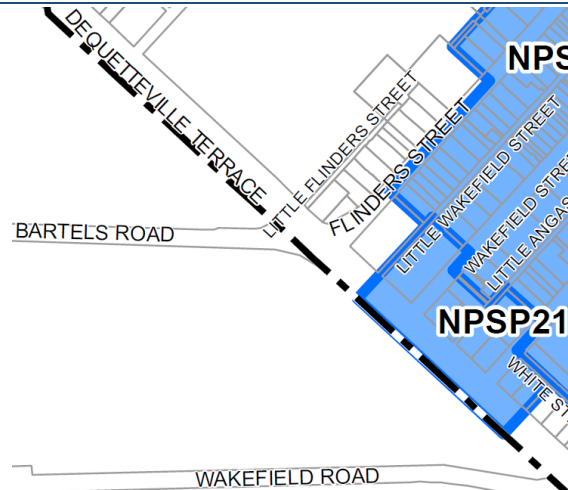
Historic Area Statements

ATTACHMENT F

| | |
|-----------------|--|
| | <p>The double fronted symmetrical and asymmetrical dwellings are an elegant, larger version of the simple colonial cottage with the addition of a projecting wing (in the case of the asymmetrical dwelling), a more elaborate verandah and increased detailing in plaster and render work around openings. The pitch and size of the roof makes this an important design element that will continue to be repeated in new developments. Verandahs along the front elevation are another important element of both the double fronted symmetrical and asymmetrical dwelling.</p> <p>Some Edwardian style housing (such as Queen Anne and Art Nouveau styles), generally located within the later subdivided areas or on blocks which were re-subdivided from larger allotments.</p> <p>Joslin portion of this Policy Area - reflects general character, some of the dwelling stock, particularly towards the Lambert Road boundary, graduates into the 1920s style of housing, introducing with it a component of inter-war housing such as bungalows.</p> <p>New dwellings will reflect the scale of the existing dwellings and will maintain similar roof profiles as well as respect the detailing of the original buildings. Any new dwellings will include verandahs on the primary frontage of the building.</p> <p>Landscaping around a dwelling, particularly in the front garden is an important design element. Both new and existing dwellings will incorporate an appropriate garden setting</p> |
| Building height | <p>predominantly single-storey</p> <p>Development should not be more than one storey above natural ground level, except where the predominant height in the immediate locality is two storey. In this instance development should not be more than two storeys</p> |
| Site coverage | Buildings should not cover more than 50 per cent of the total area of the site. |
| Building Siting | <p>The front and side setbacks of new dwellings should reflect the pattern established by the adjoining dwellings and should be sited at a distance equal to or greater than, the alignment of the main face of the adjacent heritage place or contributory item. Where a site is between two heritage places or contributory items the greater of the two set-backs should be applied.</p> <p>Rear access lanes (shown on Map NPSP/1 (Overlay 4)) will be used for the purpose of vehicular access only, no dwellings will have their primary street frontage facing a lane.</p> |
| Materials | bluestone or sandstone dressed and coursed |
| Fencing | <p>fencing that is compatible with the period and style of the dwelling</p> <p>Solid high front fences such as brush or masonry are generally not sympathetic to the character of the streetscape and will be avoided in favour of lower, more open fencing which allows an appreciation of the detailing of the dwelling</p> <p>Fencing along the front street boundary (including any secondary street frontage up to the alignment of the main face of the dwelling) should maintain the scale of existing historic development and should:</p> <ul style="list-style-type: none"> (a) not detract from the character or restrict the visibility of the building; (b) not exceed 1.2 metres in height if masonry or a maximum of 1.5 metres in height if wrought iron, brush, timber and or wire or woven |

| | |
|-----------------------------------|--|
| | <p>mesh, with masonry pillars able to be constructed up to a height of 2 metres; and</p> <p>(c) utilise original design and materials such as:</p> <ul style="list-style-type: none"> (i) timber picket, timber dowelling, masonry and cast iron palisade, or corrugated iron or mini orb within timber framing for cottages, villas and other dwellings built during the Victorian period; or (ii) timber picket, timber paling, woven crimped wire, or corrugated iron or mini orb within timber framing for Edwardian dwellings; or (iii) timber paling, wire mesh and timber or tube framing, woven crimped wire, or masonry with galvanised steel ribbon for Bungalows, Tudors and other dwellings built between the wars. <p>Where dwellings on wide allotments have associated private side gardens, brush panels or solid masonry fencing can be successfully used to screen sections of the garden but will not be continued across the full length of the primary street frontage.</p> <p>Flexibility for fencing types may be considered for properties located along roads carrying high traffic volumes, such as Stephen Terrace, Harrow Road and Lambert Road. <i>Note: this is not to be included if the demolition test for buildings in the HAO (PO 6.1) retains clause b which could be interpreted as allowing for demolition if the dwelling cannot be seen from the street</i></p> <p>Side and rear fences will be erected in traditional materials, such as timber, corrugated iron or well detailed masonry. Side fencing along street corners will continue the detailing of the front fence to the house alignment, solid fencing beyond this point will be erected in traditional materials.</p> |
| Setting and public realm features | <p>Wide tree lined streets, with mature street trees</p> <p>Rear access lanes</p> |

Dequetteville Terrace Historic Area Statement (NPSP21)

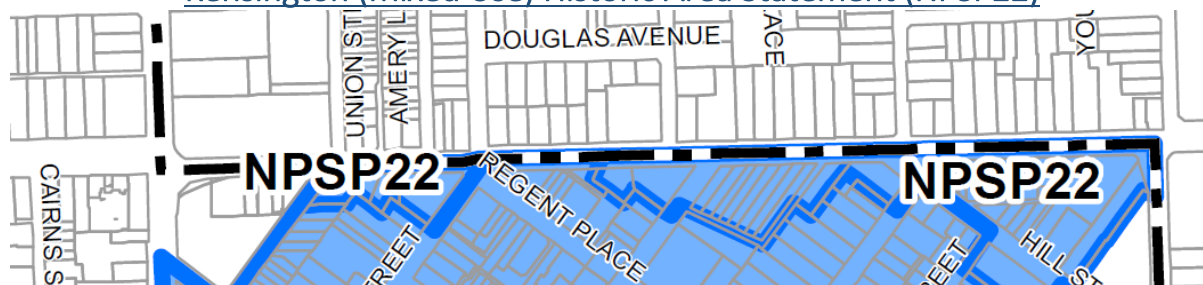


In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. The following Area Statements are requested to be adopted – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy). Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | late 19th Century and early 20th Century residential |
| Land Uses / Building Types | Buildings primarily originally constructed as dwellings but now used for a range of land uses, including office, consulting rooms, residential, tourist and other accommodation |
| Allotments and subdivision patterns | [Not stated] |
| Architectural style and features | Grand scale late 19th Century and early 20th Century mansions set well back from the Dequetteville Terrace frontage two detached single-storey buildings (large former dwelling and a bungalow-style dwelling) in established garden settings |
| Building height | [Not stated] Development should not exceed three storeys in height |
| Site coverage | |
| Building Siting | New buildings should not be erected in open areas between existing heritage places and the Dequetteville Terrace frontage. Mansions are set well back from the Dequetteville Tce frontage. Other buildings in established garden settings |
| Materials | [Not stated] |
| Fencing | [Not stated] |
| Setting and public realm features | One of the few remaining sections of Adelaide City Parkland frontage developed in the late 19th and early 20th centuries, which is still substantially intact. Vehicular movement is dominated by Dequetteville Terrace, which provides primary access for delivery, service, visitors and residents' vehicles, in preference to access via the adjoining residential area. |

Kensington (Mixed Use) Historic Area Statement (NPSP22)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. *The following Area Statements are requested to be adopted* – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

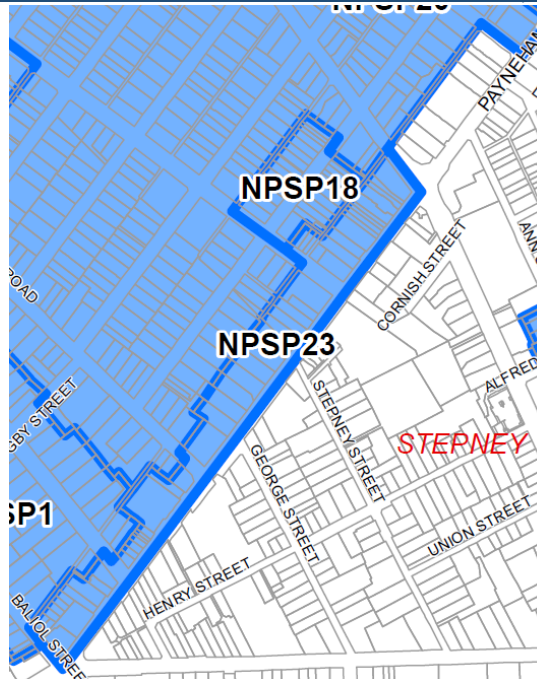
| | |
|---|---|
| Eras and themes of development | Pre 1890s, Victorian and post 1918 period Residential 'Urban village' |
| Land Use / Building Types | Development primarily for offices, consulting rooms and residential dwellings, generally utilising historic buildings, with development of new residential apartments and townhouses in appropriate locations. (MUHCZ PDC 4) |
| Allotments and subdivision patterns | <i>[Not stated]</i> |
| Architectural style and features | <p>Early buildings of pise, stone or brick construction, larger Victorian-styled brick and stone buildings, Federation era brick and stone buildings bungalow-styled buildings of the post-1918 period</p> <p>Development should ensure coherence at street level and compatibility with adjacent buildings in the treatment of signage, canopies, shopfronts and level of visual interest (based on the consideration of the composition of the buildings and overhanging fabric such as cornices) (MUHCZ PDC 6(a))</p> <p>New development will be carefully integrated into the established streetscape, without creating mock historic buildings. Reflective glass and brightly coloured schemes will not be used. Finishes will be carefully chosen to complement the finishes of surrounding buildings. (MUHCZ Desired Character Statement)</p> <p>Any extensions or alterations to heritage listed buildings or contributory items will seek to retain original materials and finishes particularly unpainted brickwork, stonework and the use of original corrugated iron roofing material. (MUHCZ Desired Character Statement)</p> |
| Building height | <i>[Not stated]</i> Development should not exceed two storeys in height |
| Site coverage | <i>[Not stated]</i> |

Policy Review
Historic Area Statements

ATTACHMENT F

| | |
|-----------------------------------|---|
| Building Siting | Frontage and side boundary set-backs of development should be similar to the predominant pattern established by heritage places and contributory items in the immediate locality, with particular regard to adjacent heritage places and contributory items. (MUHCZ PDC 10) |
| Materials | piise, stone or brick construction |
| Fencing | [Not stated] |
| Setting and public realm features | <p>existing character created by buildings and settings which reflect the principal historic development periods of the urban village of Kensington</p> <p>Vehicular movement is dominated by The Parade which abuts the northern edge of the policy area. This frontage provides primary access for delivery, service, visitors' and residents' vehicles, in preference to access via the adjoining residential area, except where vehicular access to sites with frontages to Hill Street, Shipsters Road, Bowen Street and Phillips Street is provided from those streets.</p> <p>Carparking will be sensitively positioned, preferably at the rear of the building so as not to detract from the established streetscape character. (MUHCZ Desired Character Statement)</p> |

Payneham Road Historic Area Statement (NPSP23)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. The following Area Statements are requested to be adopted – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|---|
| Eras and themes of development | 1870s and 1880s, early 1900s, and post-World War II Commercial – shops, shop/dwellings, civic and institutional buildings |
| Land Use / Dwelling Types | Development primarily for offices, consulting rooms and residential dwellings, generally utilising historic buildings, with development of new residential apartments and townhouses in appropriate locations. (MUHCZ PDC 4) Mixed Business strip shops, office, consulting rooms, residential, administrative, shop/dwellings, civic and institutional buildings Local commercial activities which are compatible with heritage value of existing buildings North of St Peters Street development may include a range of shopping facilities |
| Allotments and subdivision patterns | minimal set back from the Payneham Road frontage |
| Architectural style and features | New development should reinforce the valued architectural elements of heritage places and contributory items fronting Payneham Road including verandahs, roof and parapet details, shopfront detailing and façade treatments. Development should ensure coherence at street level and compatibility with adjacent buildings in the treatment of signage, canopies, shopfronts |

Policy Review

Historic Area Statements

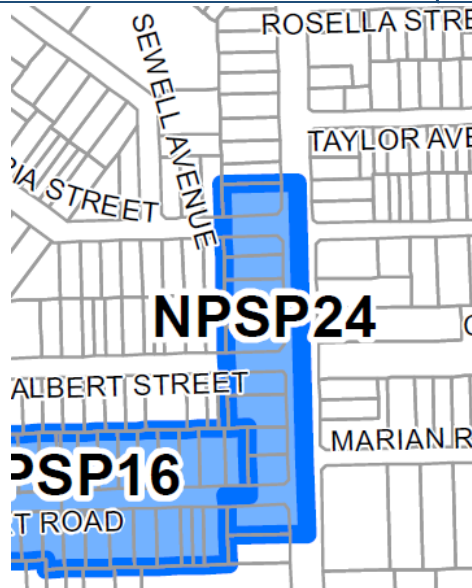
ATTACHMENT F

| | |
|-----------------------------------|---|
| | <p>and level of visual interest (based on the consideration of the composition of the buildings and overhanging fabric such as cornices) (MUHCZ PDC 6(a))</p> <p>New development will be carefully integrated into the established streetscape, without creating mock historic buildings. Reflective glass and brightly coloured schemes will not be used. Finishes will be carefully chosen to complement the finishes of surrounding buildings. (MUHCZ Desired Character Statement)</p> <p>Any extensions or alterations to heritage listed buildings or contributory items will seek to retain original materials and finishes particularly unpainted brickwork, stonework and the use of original corrugated iron roofing material. (MUHCZ Desired Character Statement)</p> |
| Building height | <p>Existing: Single and two –storey</p> <p>New Development should not exceed two storeys in height</p> |
| Site coverage | Not Stated |
| Building Siting | minimal set back from the Payneham Road frontage |
| Materials | [Not stated] |
| Fencing | [Not stated] |
| Setting and public realm features | <p>Vehicular movement is dominated by Payneham Road, which provides primary access for delivery, service and visitors vehicles.</p> <p>Access and carparking arrangements will be shared where practical to improve vehicular and pedestrian safety and to maximise land use efficiency.</p> <p>Carparking will be sensitively positioned, preferably at the rear of the building so as not to detract from the established streetscape character. (MUHCZ Desired Character Statement)</p> |

Policy Review Historic Area Statements

ATTACHMENT F

Portrush Road Historic Area Statement (NPSP24)



In its detailed submission (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. The following Area Statements are requested to be adopted – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy). Highlighted text = reinstated policy guidance from current Development Plan

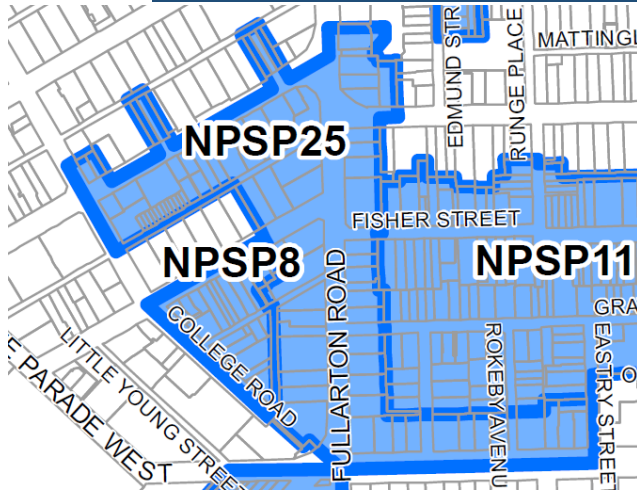
| | |
|---|--|
| Eras and themes of development | 1880s and 1890s residential |
| Land Use / Dwelling Types | mix of residential and commercial uses, such as offices and consulting rooms, in adapted historic dwellings Development primarily for offices, consulting rooms and residential dwellings, generally utilising historic buildings. (MUHCZ PDC 4) |
| Allotments and subdivision patterns | consistent setbacks |
| Architectural style and features | verandahs, original openings (ie doors and windows) in external walls, and façade treatments residential character the historically significant Funeral Parlour on Portrush Road, Payneham New development should reinforce the valued architectural elements of the heritage place and contributory items fronting Portrush Road, including the scale and bulk, roof form and pitch, window and door openings, verandah and specific features. |
| Building height | [Not stated] Development should not exceed one storey |
| Site coverage | |
| Building Siting | consistent setbacks |
| Materials | [Not stated] |
| Fencing | [Not stated] |
| Setting and public realm features | Vehicular movement is dominated by Portrush Road, which provides primary access for delivery, service and visitors vehicles. |

Policy Review
Historic Area Statements

ATTACHMENT F

| | |
|--|---|
| | Car parking will be located at the rear of the property so as not to detract from the streetscape appearance. |
|--|---|

The Parade / Fullarton Road Historic Area Statement (NPSP25)



Note: In December 2017 the Ministerial *Inner and Middle Metropolitan Corridor (Sites) DPA* introduced substantial content to the Mixed Use Historic (Conservation) Zone – The Parade / Fullarton Road Policy Area. In particular, the DPA included two Key Development Areas on Rundle Street (which has a development under construction) and Fullarton / Beulah Road, as illustrated in an excerpt from the concept plan below. This information hasn't been transferred to the draft Code. The area has been rezoned as Business Neighbourhood which does not include TNVs for building height. It is assumed that the Commission has (intentionally) determined to not transition the DPA policies so this has not been reflected in the Council's recommendations below.



Policy Review Historic Area Statements

ATTACHMENT F

| | |
|--|--|
| <p><i>In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Historic Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Historic Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.</i></p> <p><i>In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. The following Area Statements are requested to be adopted – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).</i></p> <p>Highlighted text = reinstated policy guidance from current Development Plan</p> | |
| Eras and themes of development | Pre 1890s (Victorian) |
| Land Use / Dwelling Types | Development primarily for offices, consulting rooms and residential dwellings, generally utilising historic buildings, with development of new residential apartments and townhouses in appropriate locations. (MUHCZ PDC 4) |
| Allotments and subdivision patterns | |
| Architectural style and features | Victorian villas, large two storey mansion buildings, double-fronted houses and groups of two storey row houses consistent set-backs. Buildings which address Fullarton Road and The Parade have deep set-backs. |
| Building height | [Not stated] Development should not exceed two storeys Note: current Key Development Areas in Concept Plan Fig MUH(C)/1 |
| Site coverage | Not Stated |
| Building Siting | Buildings which address Fullarton Road and The Parade have deep set-backs with substantial landscaped frontages consistent set-backs. |
| Materials | sandstone or bluestone |
| Fencing | [Not stated] |
| Setting and public realm features | Vehicular movement is dominated by The Parade, Fullarton Road, Rundle Street and Little Dew Street, which provides primary access for delivery, service, visitors' and residents' vehicles, in preference to access via the adjoining residential areas. well established garden settings Development will continue to achieve a high standard of landscaping by incorporating large trees in order to reinforce the leafy avenue character of these roads |

The City of Norwood Payneham & St Peters does not support the removal of significant character area policy introduced through the Residential Development (Zones and Policy Areas) DPA undertaken in 2015. Two character zones were introduced through this DPA: the Residential Character Zone which contains 5 policy areas, each with locally specific properties including streets where subdivision shouldn't occur, and the Residential Character (Norwood) Zone which has identified character pockets to preserve intact sections of Norwood compared to other parts of the zone where more contemporary development and infill is anticipated. These zones were carefully developed with detailed and localised policy, including detailed Desired Character Statements, which have not been incorporated into these draft policies. The Character Area Overlay policies are more ambiguous and will not provide as much up front certainty as the current Development Plan policies.

Comments are provided on the draft CAO policies in the below table.

| |
|---|
| <p>DO 1 Reinforce valued streetscape characteristics and development patterns through contextually responsive development, design and adaptive reuse that responds to the attributes expressed in the Character Area Statement.</p> <p>Recommend including the red text to reaffirm that allotment patters and building siting are important.</p> |
| <p>Built Form</p> |
| <p>PO 1.1 The form of new buildings and structures that are visible from the public realm consistent with the valued streetscape characteristics of the character are</p> <p>This needs more specificity e.g. should not incorporate large expanses of glass and/or walling or use monochromatic colour schemes.</p> |
| <p>PO 1.2 Development is consistent with the prevailing building and wall heights in the character area and as specified in the Character Area Statement</p> <p>In NPSP Character Zones, development should present to the street as single storey, but may accommodate well designed two storey development within the roof space or at the rear. There are no policies in the Character Area Overlay which clearly articulate this and the building heights are only referred to as one or two storey. Recommend an additional policy(s) akin to the following NPSP policy:</p> <p>Residential Character Zone PDC 6 <i>Unless otherwise stated in the relevant Policy Area, or in localities where the streetscape character has already been influenced to a large degree by two-storey development, development should be designed to achieve a mostly single-storey streetscape appearance, consistent with any of the following:</i></p> <p>(a) <i>sympathetic two-storey additions that use existing roof space or incorporate minor extensions of roof space to the rear of the dwelling, (refer to Figure 15 below); or</i></p> <div data-bbox="349 1585 791 1803" data-label="Image"> </div> <p>(b) <i>in new dwellings, a second storey within the roof space where the overall building height, scale and form is compatible with existing single-storey development in the locality (refer to Figure 16 below); or</i></p> |



(c) in new or existing dwellings, a second storey component which is set back sufficiently behind a single storey component, so as to achieve a mostly single-storey appearance from the primary street frontage (refer to Figure 17 below).



Residential Character Zone PDC 7

Where two-storey development is proposed:

- (a) the height and length of upper storey walls should be minimised and finished and articulated in such a way so that they are visually recessive (refer to Figure 17 above);
- (b) the length and overall size of upper storey windows and the extent of balconies should be minimised to obviate the need for privacy screening and reduce perceptions of overlooking (refer to Figure 17 above).

PO 1.3

Design and architectural detailing of street facing buildings consistent with the prevailing characteristics in the character area.

This statement is very general and should include more specific guidance such as:

The design of new dwellings may be traditional or contemporary but in all cases will make reference to the architectural detail of the surrounding pre-1940s dwellings, in particular the roof forms, eaves, front verandah treatments, window proportions and the use of different materials and finishes.

PO 1.4

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

This should provide further guidance such as a front setback which is the average of the 2 adjoining buildings.

PO 1.5

Materials are either consistent with or complement those within the character area and as specified in the Character Area Statement.

Recommend including commentary on avoiding large expanses of glass, monochromatic colour schemes (if not included in other policies as per above recommendation), and also including in this or an additional policy the importance of building proportions particularly on the facade and solid to void ratio. Also include red text if sufficient reference to materials is included in Character Area Statements.

Alterations and Additions

PO 2.1

Additions and alterations do not adversely impact on the streetscape character.

DTS/DPF 2.1

Additions and alterations:

- (a) fully contained within the roof space of an existing building with no external alterations made to the building elevation facing the primary street; or
- (b) where including a second storey addition, the additions are not visible from the primary street assuming a 45 degree view angle measured from the primary frontage allotment boundary; and
- (c) do not include any development forward of the front façade building line; and
- (d) that comprise side or rear extensions that are no closer to the side boundary than the existing building and are not visible from the primary street.

Under the *Development Regulations 2008*, only single storey dwelling additions can be Rescode complying. Allowing two-storey additions to be DTS is not supported due to the potential impacts of two storey development.

For performance assessed additions, the NPSP Character Zones provide illustrative figures which demonstrate what acceptable development might look like (refer to PDC 6 & 7 as copied above). We often refer to these images when discussing with prospective applicants and find it is a useful tool. It is recommended that something similar is included in the Code.

It is noted that in the Suburban Neighbourhood Zone (the only zone where the CAO applies in NPSP, a carport, outbuilding and verandah within a CAO is performance assessed, but alterations and additions can be DTS (subject to the above policy). Recommend reviewing this approach.

PO 2.2

Encourage the adaptive reuse of buildings that complement the prevailing characteristics of the locality, by enabling complementary changes to buildings to accommodate new land uses.

Adaptive reuse is a regular occurrence; tenancies change over all of the time without special incentives. Incentivising adaptive reuse in Character Overlays could undermine the adaptive reuse incentives which have been in place for heritage properties in many Development Plans for many years.

The CAO will take precedence over Zone policies, but how will this adaptive reuse policy be applied where the proposed land use is inconsistent with the land uses anticipated at the zone level?

Further details should be included about the types of complementary changes which are acceptable – e.g. does this relate to allowing greater floor area, DDA changes, reduced car parking rates etc?

Ancillary development

PO 3.1

Ancillary development, including carports, outbuildings and garages, complements the character of the area and associated building(s).

It is recommended that PO 3.1 and 3.2 are combined.

This policy should be more prescriptive in terms of size, location, style etc. It is recommended that a parameter regarding the width of garages and carports should be included such as:

- Garages and carports fronting a primary street should be designed with a maximum width of 6.5m or 50% of the allotment or building site frontage width, whichever is the lesser distance.

Also undercroft garaging is generally inappropriate in a character area which should be articulated through the policies.

PO 3.2

Ancillary development, including carports, outbuildings and garages, is located behind the building line of the principal building(s).

See 3.1

PO 3.3

Advertising and advertising hoardings are located and designed to complement the building, be unobtrusive, not conceal or obstruct significant architectural elements and detailing, or dominate the building or its setting.

This policy should be more specific indicating what types of signs might be appropriate and where (e.g. fascia signs, signs contained within the parapet, whether illuminated signs are appropriate, colours and materials etc).

Signs should be limited to business identification purposes only, no third party signs, and discreet in size and number.

PO 3.4

Front fencing and gates should be consistent with the traditional period, style and form of the associated built form.

Guidelines for appropriate fencing designs for different styles of dwellings should be provided. The policy should talk about low and open style fencing.

Land Division

PO 4.1

Land division creates allotments that are capable of accommodating buildings of a bulk and scale that reflect existing buildings and setbacks in the character area.

This policy doesn't refer to maintaining the existing allotment pattern (site area and frontage width). Even if minimum site areas are provided, this policy should still indicate that the development should be consistent with other allotments in the locality.

NPSP Character Zones contain 'no subdivision' streets to preserve the intact allotment patterns of well-preserved streets. Refer to the submission document for comments on this missing local policy

Context and Streetscape Amenity

PO 5.1

The width of driveways and other vehicle access ways are consistent with the prevalent width of existing driveways in the character area.

This policy should be stronger and state that the width and number of driveways should be minimised to preserve established landscaped settings, and that access should be via rear laneways where applicable.

PO 5.2

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.

This should clarify that (a) mature vegetation should be retained and (b) new development should incorporate landscaping areas of varying planting types and of adequate dimensions to accommodate future mature vegetation, to contribute to the amenity of the locality.

Procedural Matters

There is no referral or public notification trigger in the CAO. Assuming no referrals or public notifications apply at the zone level, new development within a character area would require a 4 week assessment. This may be fine for ancillary structures and some additions, but new dwellings within a character zone typically require some negotiation with the applicant to refine the design. This is not ordinarily achieved within 4 weeks. Faced with potential deemed consents, there is likely to be more refusals rather than a slightly longer but well negotiated outcome.

Policy Review

Character Area Statements

ATTACHMENT H

The Residential Character and Residential Character (Norwood) Zones in the Council's Development Plan contain significant local policy content. The Residential Character Zone is divided into 5 policy areas, each with unique policy content such as streets and areas where subdivision should not occur. The Residential Character (Norwood) Zone is a mixed character area in which the policy has been carefully formulated to reflect character pockets where there is intact pre 1940s building stock where land division is limited and outside of these areas where post-war and more contemporary buildings have been established.

In October 2019 the Council was invited to draft Historic and Character Area Statements for inclusion in the P&D Code. The invitation was not accepted for a number of reasons. Firstly, from the time councils were formally invited by the Commission to participate, to when the Statements were due, was a period of 5 weeks which was insufficient time to draft a total of 31 Statements (25 Historic, 6 Character) and present to the Council for endorsement. Secondly, the scope, style and quantity of policy content which was expected by the Commission was unclear and there was considerable concern that Statements drafted by the Council would not be accepted without significant modification. Thirdly, the Council was concurrently invited by the Commission to provide a legal definition for Contributory Items which the Council deemed to be of greater urgency and invested considerable time and resources in pursuing this invitation, which has since been refuted.

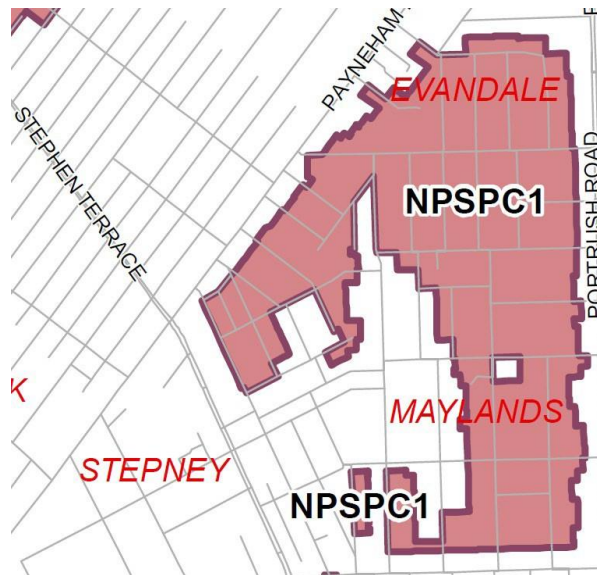
The Character Area Statements which were drafted for this Council are not adequate or appropriate replacements for the extensive local policy content currently contained in the Development Plan. The statements nominate discrete physical attributes or features without any supporting context as to the history of the area, and on a number of occasions have incorrectly indicated [Not Stated] when there is corresponding Development Plan policy. They also do not distinguish between the existing character features which should be preserved and the desired design features for new development; both equally important in managing development within character areas.

As outlined in the Council's submission, the Council has requested extensive revision of the generic Character Area Overlay policies to retain comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If the Character Area Overlay is not amended to include more detailed and comprehensive policy, then subzones should be used to allow councils to retain their existing character zone Development Plan policy content. Should that not occur, the Area Statements should be amended to include significantly greater detail. In this respect, the Area Statements have been reviewed to demonstrate some of the important Development Plan policy which has been omitted. (Highlighted text has been added by NPSP, taken from the Development Plan policy).

Policy Review Character Area Statements

ATTACHMENT H

Evandale/Maylands/Stepney Character Area Statement (NPSP-C1)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Character Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Character Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | prior to 1940 residential |
| Dwelling Types (by definition) | <p>Primarily low-scale and low density residential</p> <p>Detached dwelling</p> <p>Semi Detached dwelling</p> <p>Group Dwelling – Evandale and Payneham</p> <p>Detached dwelling (battleaxe or hammerhead – Maylands, Evandale and Payneham)</p> <p>Non- residential limited in size and nature & generally only along arterial road or where a historical basis for use – domestic in scale and nature, limited size/ intensity to not unreasonably affect nearby residences</p> |
| Allotments and subdivision patterns | <p>Roof forms, eaves, front verandah treatments, window proportions</p> <p>Land division creating additional dwelling sites should not occur in Morris Street, Elizabeth Street, Wellesley Street, Phillis Street, Frederick Street (except for multi-unit redevelopment or conversion of existing dwelling)</p> <p>No significant alteration to existing subdivision patterns</p> <p>Future development to maintain streetscape quality with particular reference to scale, form and siting characteristics of pre-1940s dwellings</p> |

| | |
|----------------------------------|---|
| | <p>and original land division patterns</p> <p>Identified locations – opportunity for residential intensification</p> <p>Other locations – reflect surrounding land division patterns</p> <p>Existing multi-unit sites redeveloped at higher densities</p> <p>Land division not to create hammerhead, battleaxe or similar in Stepney</p> |
| Architectural style and features | <p>Not stated</p> <p>Low scale and low density</p> <p>New dwelling design traditional or contemporary with reference to architectural detail of surrounding pre- 1940s dwellings – roof form, eaves, front verandah treatments, window proportions</p> <p>Alterations and additions to pre 1940s dwellings to maintaining dwelling integrity as viewed from street – particularly roof, verandah and windows</p> <p>Highly visible development not to incorporate large expanses of glass and/ or walling or use monochromatic colour schemes</p> <p>Primary street facing – roof pitch consistent with that in locality</p> <p>Semi detached to present as single dwelling</p> |
| Building height | <p>Single storey (with two storey possible to rear provided it maintains a mostly single storey appearance at the primary street frontage)</p> <p>Unless otherwise stated in the relevant Policy Area, or in localities where the streetscape character has already been influenced to a large degree by two-storey development, development should be designed to achieve a mostly single-storey streetscape appearance, consistent with any of the following:</p> <p>(a) sympathetic two-storey additions that use existing roof space or incorporate minor extensions of roof space to the rear of the dwelling, (refer to Figure 15 below); or</p> <div data-bbox="662 1232 1356 1572" data-label="Image"> </div> <p>Figure 15</p> <p>(b) in new dwellings, a second storey within the roof space where the overall building height, scale and form is compatible with existing single-storey development in the locality (refer to Figure 16 below); or</p> |

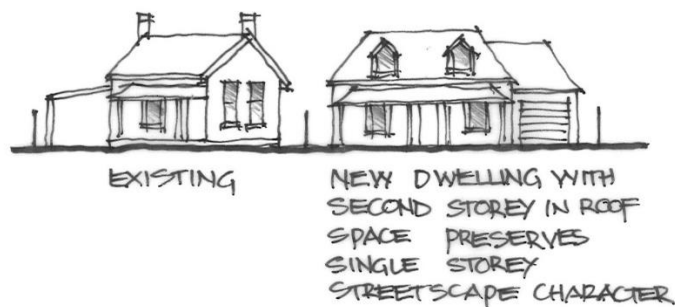


Figure 16

(c) in new or existing dwellings, a second storey component which is set back sufficiently behind a single storey component, so as to achieve a mostly single-storey appearance from the primary street frontage (refer to Figure 17 below).



Figure 17

7 Where two-storey development is proposed:

- (a) the height and length of upper storey walls should be minimised and finished and articulated in such a way so that they are visually recessive (refer to Figure 17 above);
- (b) the length and overall size of upper storey windows and the extent of balconies should be minimised to obviate the need for privacy screening and reduce perceptions of overlooking (refer to Figure 17 above).

| | |
|---------------|---|
| Site coverage | Evandale, Maylands, Payneham – 50% (inclusive of ancillary structures) Stepney – 60% (inclusive of ancillary structures) |
| Materials | [Not stated] reference to surrounding pre- 1940s dwellings – use of different materials and finishes |

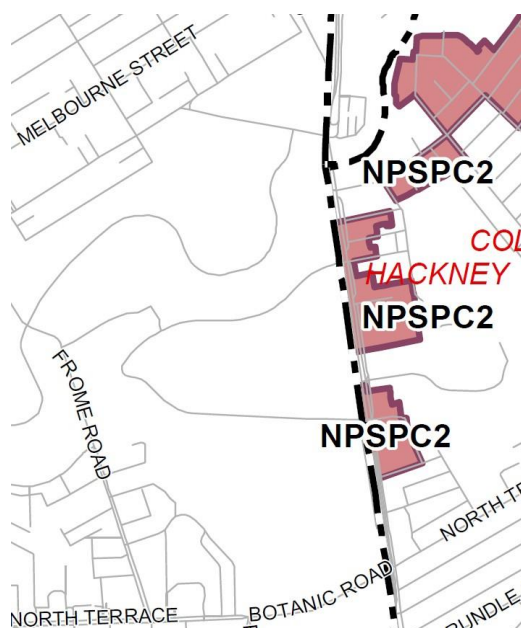
Policy Review

Character Area Statements

ATTACHMENT H

| | |
|-----------------------------------|--|
| | |
| Fencing | <p>[Not stated]</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>Low, open-style fencing to allow better connectivity to street and pedestrian friendly environment</p> <p>Fences and gates in keeping with height, scale and type of fences in locality</p> <p>Along arterial roads more solid forms of fencing may be appropriate</p> |
| Setting and public realm features | <p>Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape character within the zone</p> <p>Vehicle garaging, driveways and front fences are not dominant streetscape elements</p> <p>in most areas mature street tree plantings provide an overall visual coherence to the streets</p> <p>new development to not introduce extensive areas of hard paving and driveways between the dwelling and the street and balanced with soft landscaping including trees</p> <p>providing setbacks from boundaries to maintain space between dwellings in keeping with the pattern of surrounding development;</p> <p>limiting the number and width of driveway crossovers; and</p> <p>incorporating a sufficient amount of soft landscaping between the street and the dwelling, including trees.</p> <p>New residential development should include landscaped front garden areas that complement the desired character</p> <p>Advertisements and signage should only be for the identification of non-residential uses and home-based businesses and should be complementary to the architecture and scale of the building</p> |

Hackney Character Area Statement (NPSP-C2)

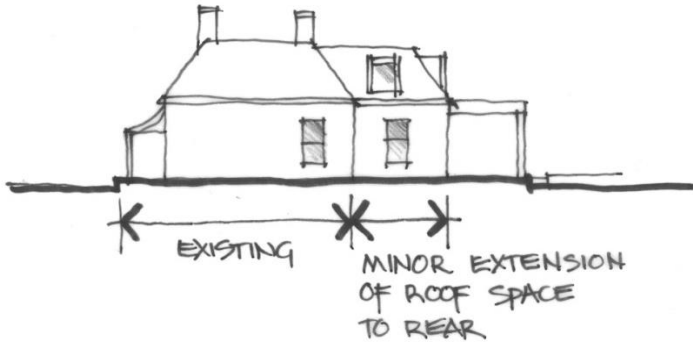


In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Character Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Character Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|---|
| Eras and themes of development | prior to 1940 residential |
| Dwelling Types (by definition) | <p>Primarily low-scale and low density residential</p> <p>Detached dwelling</p> <p>Semi Detached dwelling</p> <p>Group Dwelling</p> <p>Row dwelling</p> <p>Residential Flat Building</p> <p>Residential Flat building - minimum floor areas (due to no minimum site areas)</p> <p>Non- residential limited in size and nature & generally only along arterial road or where a historical basis for use – domestic in scale and nature, limited size/ intensity to not unreasonably affect nearby residences</p> |
| Allotments and subdivision patterns | <p>Roof forms, eaves, front verandah treatments, window proportions</p> <p>Small areas of Hackney located along the southern side of Richmond Street and between Hackney Road and St Peters College. Existing development in this Policy Area comprises a mix of compact and large</p> |

| | |
|----------------------------------|--|
| | <p>allotments with a number of Local Heritage Places, pre-1940s dwellings and multi-unit sites.</p> <p>Land division creating additional dwelling sites should only occur on sites fronting Hackney Road (except for multi-unit redevelopment or conversion of existing dwelling)</p> <p>No significant alteration to existing subdivision patterns</p> <p>Future development to maintain streetscape quality with particular reference to scale, form and siting characteristics of pre-1940s dwellings and original land division patterns</p> <p>Hackney Road – opportunity for residential intensification</p> <p>Other locations – reflect surrounding land division patterns</p> <p>Existing multi-unit sites redeveloped at higher densities</p> |
| Architectural style and features | <p>Not stated</p> <p>Low scale and low density</p> <p>New dwelling design traditional or contemporary with reference to architectural detail of surrounding pre- 1940s dwellings – roof form, eaves, front verandah treatments, window proportions</p> <p>Alterations and additions to pre 1940s dwellings to maintaining dwelling integrity as viewed from street – particularly roof, verandah and windows</p> <p>Highly visible development not to incorporate large expanses of glass and/ or walling or use monochromatic colour schemes</p> <p>Primary street facing – roof pitch consistent with that in locality</p> <p>Semi detached to present as single dwelling</p> |
| Building height | <p>Single-storey</p> <p>Fronting Hackney Road – two storeys</p> <p>Fronting a public road in all other localities – single storey (with two storey possible to rear provided it maintains a mostly single storey appearance at the primary street frontage)</p> <p>Unless otherwise stated in the relevant Policy Area, or in localities where the streetscape character has already been influenced to a large degree by two-storey development, development should be designed to achieve a mostly single-storey streetscape appearance, consistent with any of the following:</p> <p>(a) sympathetic two-storey additions that use existing roof space or incorporate minor extensions of roof space to the rear of the dwelling, (refer to Figure 15 below); or</p>  <p>Figure 15</p> |

(b) in new dwellings, a second storey within the roof space where the overall building height, scale and form is compatible with existing single-storey development in the locality (refer to Figure 16 below); or



Figure 16

(c) in new or existing dwellings, a second storey component which is set back sufficiently behind a single storey component, so as to achieve a mostly single-storey appearance from the primary street frontage (refer to Figure 17 below).



Figure 17

7 Where two-storey development is proposed:

- (a) the height and length of upper storey walls should be minimised and finished and articulated in such a way so that they are visually recessive (refer to Figure 17 above);
- (b) the length and overall size of upper storey windows and the extent of balconies should be minimised to obviate the need for privacy screening and reduce perceptions of overlooking (refer to Figure 17 above).

Site coverage

70% (inclusive of ancillary structures)

Materials

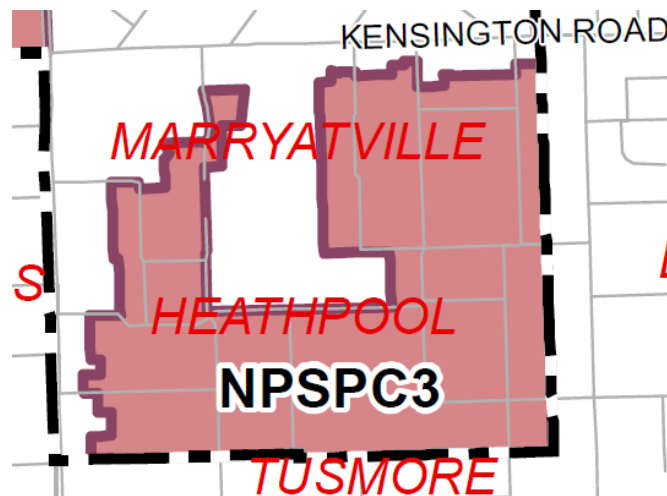
~~Not stated~~
reference to surrounding pre- 1940s dwellings – use of different materials and finishes

Policy Review
Character Area Statements

ATTACHMENT H

| | |
|-----------------------------------|--|
| Fencing | <p>[Not stated]</p> <p>Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape character within the zone.</p> <p>Low, open-style fencing to allow better connectivity to street and pedestrian friendly environment</p> <p>Fences and gates in keeping with height, scale and type of fences in locality</p> <p>Along arterial roads more solid forms of fencing may be appropriate</p> |
| Setting and public realm features | <p>Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape character within the zone</p> <p>Vehicle garaging, driveways and front fences are not dominant streetscape elements</p> <p>in most areas mature street tree plantings provide an overall visual coherence to the streets</p> <p>new development to not introduce extensive areas of hard paving and driveways between the dwelling and the street and balanced with soft landscaping including trees</p> <p>providing setbacks from boundaries to maintain space between dwellings in keeping with the pattern of surrounding development;</p> <p>limiting the number and width of driveway crossovers; and</p> <p>incorporating a sufficient amount of soft landscaping between the street and the dwelling, including trees.</p> <p>New residential development should include landscaped front garden areas that complement the desired character</p> <p>Advertisements and signage should only be for the identification of non-residential uses and home-based businesses and should be complementary to the architecture and scale of the building</p> |

[Heathpool/Marryatville Character Area Statement \(NPSP-C3\)](#)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Character Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Character Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|--|---|
| Eras and themes of development | prior to 1940 residential |
| Dwelling Types (by definition) | <p>Primarily low-scale and low density residential</p> <p>Detached dwelling</p> <p>Semi Detached dwelling</p> <p>Detached dwelling (hammerhead – Marryatville (east of Clapton Road) and west of Clapton Road only on sites >1000m²)</p> <p>Group Dwelling</p> <p>Residential Flat Building - Marryatville (east of Clapton Road) and west of Clapton Road only on sites >1000m²</p> <p>Residential Flat building - minimum floor areas (due to no minimum site areas)</p> <p>Non- residential limited in size and nature & generally only along arterial road or where a historical basis for use – domestic in scale and nature, limited size/ intensity to not unreasonably affect nearby residences</p> |
| Allotments and subdivision patterns | <p>Roof forms, eaves, front verandah treatments, window proportions</p> <p>No significant alteration to existing subdivision patterns</p> <p>Land division creating additional dwelling sites should not occur on sites fronting Heathpool Road and Northumberland Street and portions of</p> |

| | |
|----------------------------------|---|
| | <p>Rothbury Avenue and Stanington Avenue, west of Hanson Avenue (except for multi-unit redevelopment or conversion of existing dwelling)</p> <p>In portion of Marryatville located west of Clapton Road, land division creating additional dwelling sites should only occur on sites >1000m²</p> <p>Future development to maintain streetscape quality with particular reference to scale, form and siting characteristics of pre-1940s dwellings and original land division patterns</p> <p>Identified locations – opportunity for residential intensification limited to existing multi-unit sites, dwelling additions, dwelling conversion into two or development of dependent living unit</p> <p>Other locations – various dwelling types and allotment sizes apply</p> |
| Architectural style and features | <p>[Not stated]</p> <p>Low scale and low density</p> <p>New dwelling design traditional or contemporary with reference to architectural detail of surrounding pre- 1940s dwellings – roof form, eaves, front verandah treatments, window proportions</p> <p>Alterations and additions to pre 1940s dwellings to maintaining dwelling integrity as viewed from street – particularly roof, verandah and windows</p> <p>Highly visible development not to incorporate large expanses of glass and/ or walling or use monochromatic colour schemes</p> <p>Primary street facing – roof pitch consistent with that in locality</p> <p>Semi detached to present as single dwelling</p> |
| Building height | <p>Single-storey</p> <p>Single storey (with two storey possible to rear provided it maintains a mostly single storey appearance at the primary street frontage)</p> <p>Unless otherwise stated in the relevant Policy Area, or in localities where the streetscape character has already been influenced to a large degree by two-storey development, development should be designed to achieve a mostly single-storey streetscape appearance, consistent with any of the following:</p> <p>(a) sympathetic two-storey additions that use existing roof space or incorporate minor extensions of roof space to the rear of the dwelling, (refer to Figure 15 below); or</p> <div data-bbox="662 1451 1361 1794" data-label="Image"> </div> <p>Figure 15</p> <p>(b) in new dwellings, a second storey within the roof space where the overall building height, scale and form is compatible with existing single-storey development in the locality (refer to Figure 16 below); or</p> |

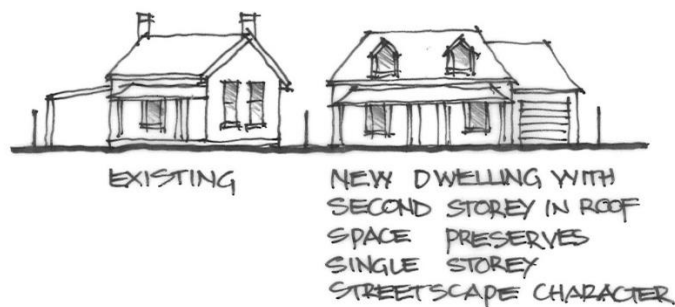


Figure 16

(c) in new or existing dwellings, a second storey component which is set back sufficiently behind a single storey component, so as to achieve a mostly single-storey appearance from the primary street frontage (refer to Figure 17 below).



Figure 17

7 Where two-storey development is proposed:

- (a) the height and length of upper storey walls should be minimised and finished and articulated in such a way so that they are visually recessive (refer to Figure 17 above);
- (b) the length and overall size of upper storey windows and the extent of balconies should be minimised to obviate the need for privacy screening and reduce perceptions of overlooking (refer to Figure 17 above).

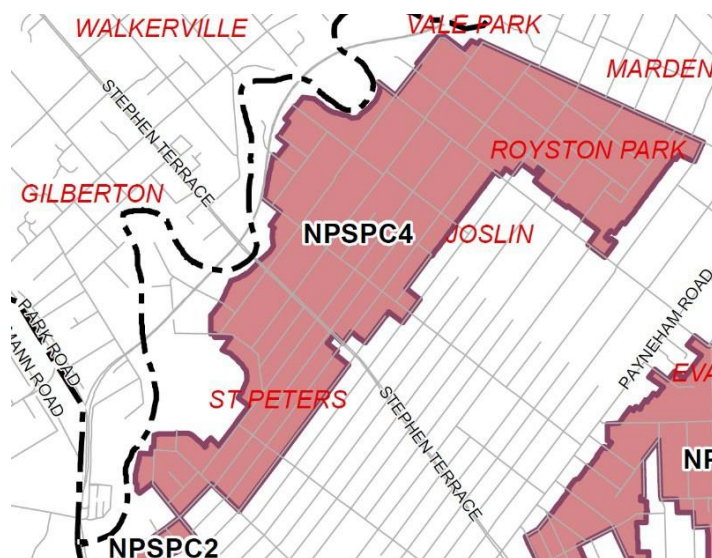
| | |
|---------------|--|
| Site coverage | 50% (inclusive of ancillary structures) |
| Materials | [Not stated] reference to surrounding pre- 1940s dwellings – use of different materials and finishes |
| Fencing | [Not stated] Front fencing and side fencing (between the front of a dwelling and the |

Policy Review
Character Area Statements

ATTACHMENT H

| | |
|-----------------------------------|--|
| | <p>street) and landscaping are important components of streetscape character within the zone.</p> <p>Low, open-style fencing to allow better connectivity to street and pedestrian friendly environment</p> <p>Fences and gates in keeping with height, scale and type of fences in locality</p> <p>Along arterial roads more solid forms of fencing may be appropriate</p> |
| Setting and public realm features | <p>Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape character within the zone</p> <p>Vehicle garaging, driveways and front fences are not dominant streetscape elements</p> <p>in most areas mature street tree plantings provide an overall visual coherence to the streets</p> <p>new development to not introduce extensive areas of hard paving and driveways between the dwelling and the street and balanced with soft landscaping including trees</p> <p>providing setbacks from boundaries to maintain space between dwellings in keeping with the pattern of surrounding development;</p> <p>limiting the number and width of driveway crossovers; and</p> <p>incorporating a sufficient amount of soft landscaping between the street and the dwelling, including trees.</p> <p>New residential development should include landscaped front garden areas that complement the desired character</p> <p>Advertisements and signage should only be for the identification of non-residential uses and home-based businesses and should be complementary to the architecture and scale of the building</p> |

St Peters/Joslin/Royston Park Character Area Statement (NPSP-C4)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Character Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Character Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | prior to 1940 residential |
| Dwelling Types (by definition) | <p>Primarily low-scale and low density residential</p> <p>Detached dwelling</p> <p>Semi Detached dwelling – in St Peters and College Park only where rear access and garaging</p> <p>Non- residential limited in size and nature & generally only along arterial road or where a historical basis for use – domestic in scale and nature, limited size/ intensity to not unreasonably affect nearby residences</p> |
| Allotments and subdivision patterns | <p>Roof forms, eaves, front verandah treatments, window proportions</p> <p>No significant alteration to existing subdivision patterns</p> <p>Land division creating additional dwelling sites should not occur on sites in St Peters along Ninth Avenue and Seventh Avenue (between Stephen Terrace and Harrow Road) and in Joslin along Seventh Avenue (except for multi-unit redevelopment or conversion of existing dwelling)</p> <p>Future development to maintain streetscape quality with particular reference to scale, form and siting characteristics of pre-1940s dwellings and original land division patterns</p> |

| | |
|----------------------------------|---|
| | <p>Identified locations – opportunity for residential intensification limited to existing multi-unit sites, dwelling additions, dwelling conversion into two or development of dependent living unit</p> <p>Other locations in St Peters and College Park – detached and semi detached (only where rear access and garaging) and in Joslin and Royston Park detached and semi detached dwellings.</p> <p>Land division not to create hammerhead, battleaxe or similar configuration.</p> |
| Architectural style and features | <p>Not stated</p> <p>Low scale and low density</p> <p>New dwelling design traditional or contemporary with reference to architectural detail of surrounding pre- 1940s dwellings – roof form, eaves, front verandah treatments, window proportions</p> <p>Alterations and additions to pre 1940s dwellings to maintaining dwelling integrity as viewed from street – particularly roof, verandah and windows</p> <p>Highly visible development not to incorporate large expanses of glass and/ or walling or use monochromatic colour schemes</p> <p>Primary street facing – roof pitch consistent with that in locality</p> <p>Semi detached to present as single dwelling</p> |
| Building height | <p>Single storey</p> <p>Single storey (with two storey possible to rear provided it maintains a mostly single storey appearance at the primary street frontage)</p> <p>Unless otherwise stated in the relevant Policy Area, or in localities where the streetscape character has already been influenced to a large degree by two-storey development, development should be designed to achieve a mostly single-storey streetscape appearance, consistent with any of the following:</p> <p>(a) sympathetic two-storey additions that use existing roof space or incorporate minor extensions of roof space to the rear of the dwelling, (refer to Figure 15 below); or</p> <div data-bbox="662 1350 1361 1695" data-label="Image"> </div> <p>Figure 15</p> <p>(b) in new dwellings, a second storey within the roof space where the overall building height, scale and form is compatible with existing single-storey development in the locality (refer to Figure 16 below); or</p> |

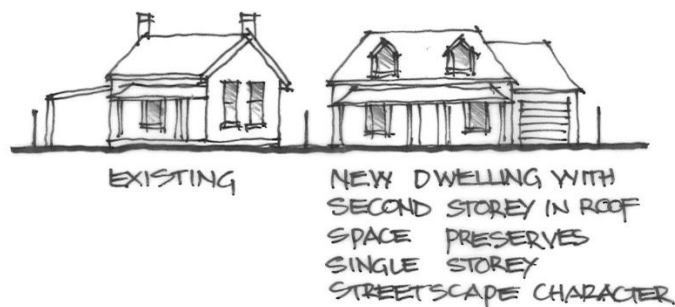


Figure 16

(c) in new or existing dwellings, a second storey component which is set back sufficiently behind a single storey component, so as to achieve a mostly single-storey appearance from the primary street frontage (refer to Figure 17 below).



Figure 17

7 Where two-storey development is proposed:

- (a) the height and length of upper storey walls should be minimised and finished and articulated in such a way so that they are visually recessive (refer to Figure 17 above);
- (b) the length and overall size of upper storey windows and the extent of balconies should be minimised to obviate the need for privacy screening and reduce perceptions of overlooking (refer to Figure 17 above).

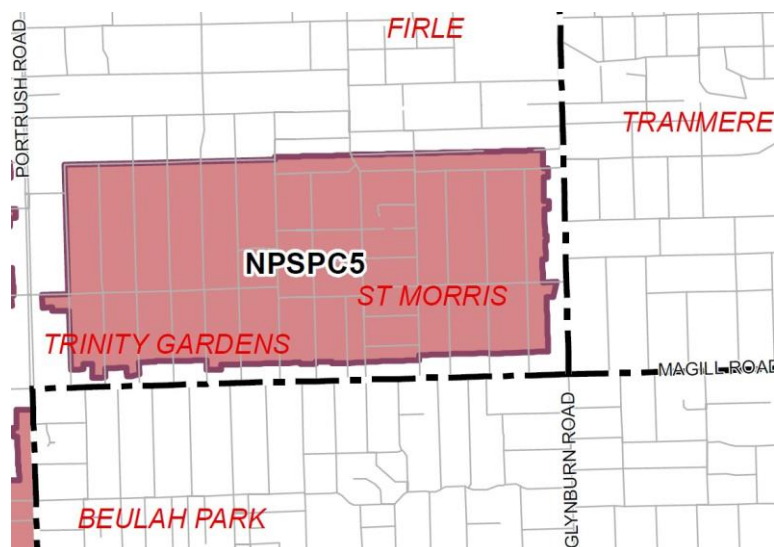
| | |
|---------------|--|
| Site coverage | 50% (inclusive of ancillary structures) |
| Materials | [Not stated] reference to surrounding pre- 1940s dwellings – use of different materials and finishes |
| Fencing | [Not stated] Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape |

Policy Review
Character Area Statements

ATTACHMENT H

| | |
|-----------------------------------|--|
| | <p>character within the zone.</p> <p>Low, open-style fencing to allow better connectivity to street and pedestrian friendly environment</p> <p>Fences and gates in keeping with height, scale and type of fences in locality</p> <p>Along arterial roads more solid forms of fencing may be appropriate</p> |
| Setting and public realm features | <p>Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape character within the zone</p> <p>Vehicle garaging, driveways and front fences are not dominant streetscape elements</p> <p>in most areas mature street tree plantings provide an overall visual coherence to the streets</p> <p>new development to not introduce extensive areas of hard paving and driveways between the dwelling and the street and balanced with soft landscaping including trees</p> <p>providing setbacks from boundaries to maintain space between dwellings in keeping with the pattern of surrounding development; limiting the number and width of driveway crossovers; and incorporating a sufficient amount of soft landscaping between the street and the dwelling, including trees.</p> <p>New residential development should include landscaped front garden areas that complement the desired character</p> <p>Advertisements and signage should only be for the identification of non-residential uses and home-based businesses and should be complementary to the architecture and scale of the building</p> |

Trinity Gardens/St Morris Character Area Statement (NPSP-C5)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Character Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Character Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

| | |
|---|--|
| Eras and themes of development | prior to 1940 residential |
| Dwelling Types (by definition) | <p>Primarily low-scale and low density residential</p> <p>Detached dwelling</p> <p>Semi Detached dwelling</p> <p>Detached dwelling (hammerhead allotment)</p> <p>Group dwelling –St Morris</p> <p>Non- residential limited in size and nature & generally only along arterial road or where a historical basis for use – domestic in scale and nature, limited size/ intensity to not unreasonably affect nearby residences</p> |
| Allotments and subdivision patterns | <p>Roof forms, eaves, front verandah treatments, window proportions</p> <p>No significant alteration to existing subdivision patterns</p> <p>Land division creating additional dwelling sites should not occur on sites in Trinity Gardens along Canterbury and Hereford Avenues, Lechfield Crescent and the portion of Albermarle Avenue between Canterbury and Hereford Avenues and in St Morris along Breaker Street (south of Fifth Avenue) , Seventh Avenue, Green Street and Thomas Avenue (except for multi-unit redevelopment or conversion of existing dwelling)</p> |

| | |
|----------------------------------|---|
| | <p>Future development to maintain streetscape quality with particular reference to scale, form and siting characteristics of pre-1940s dwellings and original land division patterns</p> <p>Identified locations – opportunity for residential intensification limited to existing multi-unit sites, dwelling additions, dwelling conversion into two or development of dependent living unit</p> <p>Other locations in St Peters and College Park – detached and semi detached (only where rear access and garaging) and in Joslin and Royston Park detached and semi detached dwellings.</p> <p>Land division not to create hammerhead, battleaxe or similar configuration in Trinity Gardens.</p> |
| Architectural style and features | <p>[Not stated]</p> <p>Low scale and low density</p> <p>New dwelling design traditional or contemporary with reference to architectural detail of surrounding pre- 1940s dwellings – roof form, eaves, front verandah treatments, window proportions</p> <p>Alterations and additions to pre 1940s dwellings to maintaining dwelling integrity as viewed from street – particularly roof, verandah and windows</p> <p>Highly visible development not to incorporate large expanses of glass and/ or walling or use monochromatic colour schemes</p> <p>Primary street facing – roof pitch consistent with that in locality</p> <p>Semi detached to present as single dwelling</p> |
| Building height | <p>Single-storey</p> <p>Single storey (with two storey possible to rear provided it maintains a mostly single storey appearance at the primary street frontage)</p> <p>Unless otherwise stated in the relevant Policy Area, or in localities where the streetscape character has already been influenced to a large degree by two-storey development, development should be designed to achieve a mostly single-storey streetscape appearance, consistent with any of the following:</p> <p>(a) sympathetic two-storey additions that use existing roof space or incorporate minor extensions of roof space to the rear of the dwelling, (refer to Figure 15 below); or</p> <div data-bbox="662 1451 1361 1794" data-label="Image"> </div> <p>Figure 15</p> <p>(b) in new dwellings, a second storey within the roof space where the overall building height, scale and form is compatible with existing single-storey development in the locality (refer to Figure 16 below); or</p> |

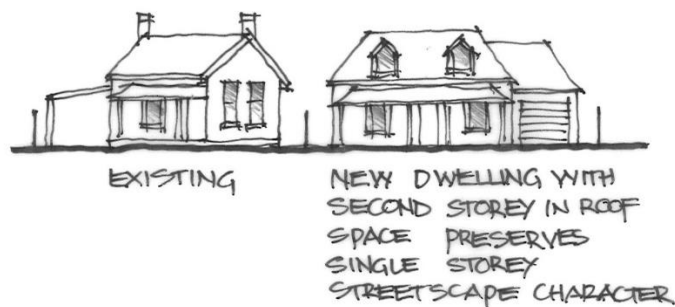


Figure 16

(c) in new or existing dwellings, a second storey component which is set back sufficiently behind a single storey component, so as to achieve a mostly single-storey appearance from the primary street frontage (refer to Figure 17 below).



Figure 17

7 Where two-storey development is proposed:

- (a) the height and length of upper storey walls should be minimised and finished and articulated in such a way so that they are visually recessive (refer to Figure 17 above);
- (b) the length and overall size of upper storey windows and the extent of balconies should be minimised to obviate the need for privacy screening and reduce perceptions of overlooking (refer to Figure 17 above).

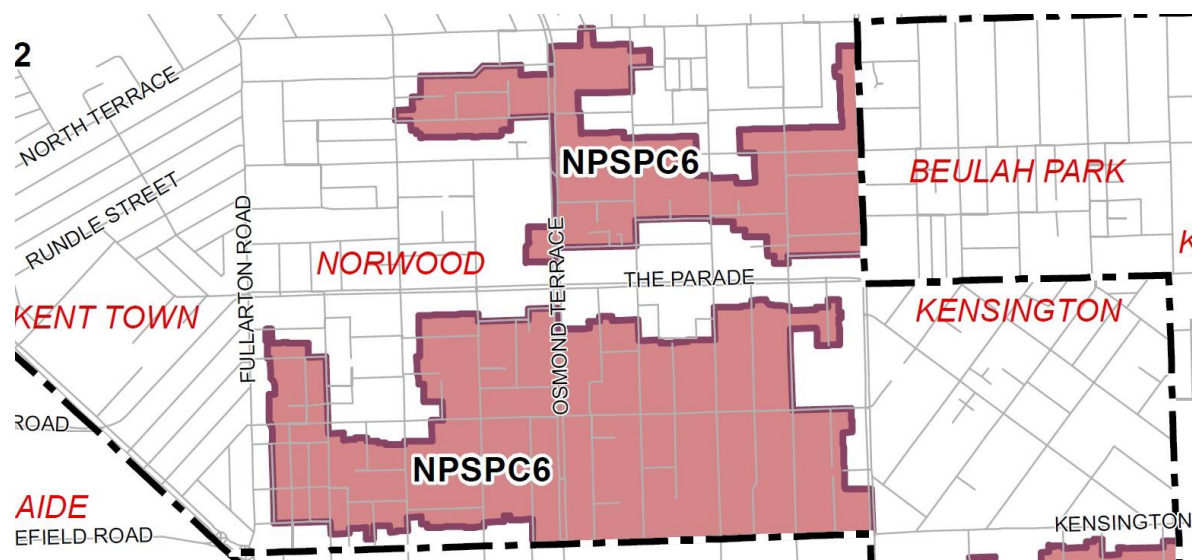
| | |
|---------------|--|
| Site coverage | Group dwellings 60% (inclusive of ancillary structures) Other dwelling types – 50% (inclusive of ancillary structures) |
| Materials | Not stated reference to surrounding pre- 1940s dwellings – use of different materials and finishes |
| Fencing | Not stated Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape |

Policy Review
Character Area Statements

ATTACHMENT H

| | |
|-----------------------------------|--|
| | <p>character within the zone.</p> <p>Low, open-style fencing to allow better connectivity to street and pedestrian friendly environment</p> <p>Fences and gates in keeping with height, scale and type of fences in locality</p> <p>Along arterial roads more solid forms of fencing may be appropriate</p> |
| Setting and public realm features | <p>Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape character within the zone</p> <p>Vehicle garaging, driveways and front fences are not dominant streetscape elements</p> <p>in most areas mature street tree plantings provide an overall visual coherence to the streets</p> <p>new development to not introduce extensive areas of hard paving and driveways between the dwelling and the street and balanced with soft landscaping including trees</p> <p>providing setbacks from boundaries to maintain space between dwellings in keeping with the pattern of surrounding development; limiting the number and width of driveway crossovers; and incorporating a sufficient amount of soft landscaping between the street and the dwelling, including trees.</p> <p>New residential development should include landscaped front garden areas that complement the desired character</p> <p>Advertisements and signage should only be for the identification of non-residential uses and home-based businesses and should be complementary to the architecture and scale of the building</p> |

Residential Character (Norwood) Area Statement (NPSP-C6)



In its detailed submission on the Planning and Design Code (Table 2 and various Attachments) the City of Norwood Payneham & St Peters has requested extensive revision of the generic Character Area Overlay to retain the more comprehensive, detailed and clear policy for the assessment of new development as currently contained in Development Plan policies. If these current policy provisions are unable to be supported by the Commission for inclusion as clearer policy guidance for the Character Area Overlay, then sub zones with accompanying clear (reinstated) policy is requested.

*In the event that the Commission does not support the insertion of stronger, clearer, less ambiguous policy in either the Character Area Overlay, or in new subzones, then the only remaining place in the Code's structure is in the Area Statements. **The following Area Statements are requested to be adopted** – in the event that Overlay policy is unable to be supplemented (with removed Development Plan policy) and if sub zones are unable to be included (with reinstated Development Plan Policy).*

Highlighted text = reinstated policy guidance from current Development Plan

Eras ~~and themes of~~
development

residential

rectilinear pattern of wide tree-lined major streets, intersected by narrow minor streets, with various eras of development overlaid. Results in a built form character, which comprises 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.

Although the built form character throughout Norwood is relatively varied, there remains a strong theme associated with the historic built form, which includes a significant number of Local Heritage Places and buildings constructed before 1940 and is further supported by the areas of Residential Historic (Conservation) Zone, which are found throughout Norwood.

Non- residential limited in size and nature & generally only along arterial road or where a historical basis for use – domestic in scale and nature, limited size/ intensity to not unreasonably affect nearby residences

Policy Review

Character Area Statements

ATTACHMENT H

| | |
|--|---|
| <p>Dwelling Types (by definition)</p> | <p>Detached dwelling Semi-detached dwelling Detached dwelling (hammerhead allotment) Row Dwelling Group Dwelling Residential Flat Building – minimum floor area provisions</p> <p>Mix of old and new development and provide opportunities for a range of housing types and allotment sizes. Remaining pockets of housing pre-dating 1940 that make an important contribution to the mixed character of Norwood are identified (by site) on Concept Plan Fig RC(N)/1. Opportunities for dependent living unit on the same site as an existing dwelling.</p> <p>Reinstate Concept Plan Fig RC(N)/1</p> <p>Non-residential development will be limited in size and nature and will generally only occur in locations along arterial road frontages, or where there is a recent history of lawful non-residential use, or where the building was originally constructed for non-residential use (such as original corner shops). Buildings proposed for non-residential use will be domestic in scale and nature and will mostly involve the re-use of existing dwellings. Development in association with existing non-residential uses will be limited, to ensure that the size and intensity of such development does have any additional off-site impacts that will affect residential amenity.</p> |
| <p>Allotments and subdivision patterns</p> | <p>Existing - broad mix of allotment sizes and a diversity of residential accommodation options, including affordable housing</p> <p>Land division creating additional allotments or dwelling sites would not occur on sites identified on Concept Plan Fig RC(N)/1, except where it involves the redevelopment of an existing multi-unit site or the conversion of an existing dwelling into two (or more dwellings) with no substantial change to the building form.</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> |
| <p>Architectural style and features</p> | <p>pre-1940s dwellings, in particular the roof forms, front verandah treatments, window proportions and the use of different materials and finishes.</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>Redevelopment of sites identified on Concept Plan Fig RC(N)/1, to provide continuity with regard to the form, height and siting (in terms of front, side and rear set-backs) of the surrounding pre-1940s dwellings.</p> <p>Design of new dwellings - traditional or contemporary but making reference to the architectural detail of the surrounding pre-1940s</p> |

| | |
|-----------------|--|
| | <p>dwelling, in particular the roof forms, front verandah treatments, window proportions and the use of different materials and finishes.</p> <p>Flat roof pitches, large unbroken expanses of glass or walling and monochromatic colour schemes will not occur where it will be highly visible in the streetscape or from surrounding properties.</p> <p>Outside localities identified on Concept Plan Fig RC(N)/1 the design of buildings will be innovative and contemporary, however, large unbroken expanses of glass or walling and monochromatic colour schemes will not occur where it will be highly visible in the streetscape or from surrounding properties.</p> <p>Boundary development generally only to one side of an allotment/ site and limited in height and length in order to reduce its impact. Boundary to boundary development only where there is precedence for such development within the locality and where there will be no unreasonable impact on neighbouring land.</p> <p>Alterations and additions to a pre-1940s dwelling to maintain the visual integrity of the dwelling as viewed from the street. Maintenance of integrity of key components of the dwelling fronting the street (roof pitch, verandah forms and window proportions) and maintain mostly single-storey streetscape appearance.</p> <p>Semi detached dwellings to present as a single dwelling when viewed from primary street frontage.</p> <p>Row dwellings only where access for laneway, minor street or common access way.</p> <p>Undercroft or below ground garages only developed along western side of Osmond Terrace.</p> <p>Where rear lane access is available, vehicle access and garages should be located at rear of site.</p> |
| Building height | <p>Single-storey</p> <p>Building heights generally limited to maintain a single-storey streetscape appearance, however, in some locations where a single-storey built form character is particularly intact, may be further limited to single-storey.</p> <p>Outside of the localities identified on Concept Plan Fig RC(N)/1, opportunities will be provided for increasing the density of a site. Building heights of up to two (2) storeys may occur, however, where proposed, consideration will be given to the impact of second storey walls from neighbouring properties. In this context, it will be important that the height and length of upper storey walls are minimised and finished and articulated in such a way so that they are visually recessive and do not create any unreasonable overshadowing impacts. In some cases, this may limit the extent of upper level floor area in new dwellings or dwelling extensions.</p> <p>6. For sites identified on Concept Plan Fig RC(N)1, where two-storey development is proposed, it should be designed to achieve a mostly single-storey streetscape appearance, consistent with any of the following:</p> |

- (a) sympathetic two-storey additions that use existing roof space or incorporate minor extensions of roof space to the rear of the dwelling, (refer to Figure 15 below); or



Figure 15

- (b) in new dwellings, a second storey within the roof space where the overall building height, scale and form is compatible with existing single-storey development in the locality (refer to Figure 16 below); or

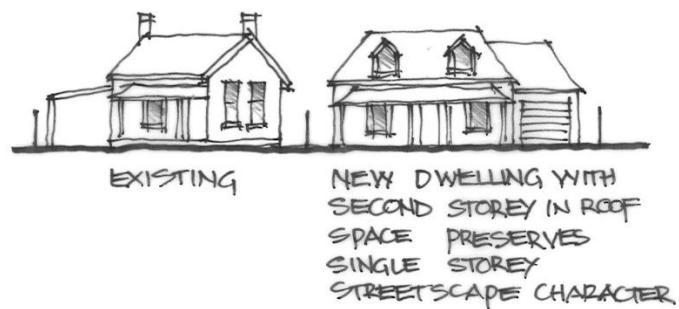


Figure 17

7 Where two-storey development is proposed:

Policy Review

Character Area Statements

ATTACHMENT H

| | |
|-----------------------------------|--|
| | <p>(a) the height and length of upper storey walls should be minimised and finished and articulated in such a way so that they are visually recessive (refer to Figure 17 above);</p> <p>(b) the length and overall size of upper storey windows and the extent of balconies should be minimised to obviate the need for privacy screening and reduce perceptions of overlooking (refer to Figure 17 above).</p> |
| Materials | <p>[Not stated]</p> <p>reference to surrounding pre- 1940s dwellings – use of different materials and finishes</p> |
| Fencing | <p>[Not stated]</p> <p>9 Development should preserve and enhance streetscapes within the zone by:</p> <ul style="list-style-type: none"> (a) the incorporation of fences and gates in keeping with the height, scale and type of fences in the locality; (b) providing setbacks from boundaries to maintain space between dwellings in keeping with the pattern of surrounding development; (c) limiting the number and width of driveway crossovers; and (d) incorporating a sufficient amount of soft landscaping between the street and the dwelling, including trees. |
| Setting and public realm features | <p>distinct rectilinear pattern of wide tree-lined major streets, intersected by narrow minor streets</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> <p>Advertisements and signage should only be for the identification of non-residential uses and home-based businesses and should be complementary to the architecture and scale of the building</p> |

By email: Anita.Allen@sa.gov.au

Ref: GJLM00293625F06050577.DOCX

25 November 2019

Ms Anita Allen
Manager, Planning Reform
Department of Planning, Transport & Infrastructure
GPO Box 1815
ADELAIDE SA 5001

Dear Anita

Draft flooding policy in Phase 3 of the Planning and Design Code – City of Norwood, Payneham and St Peters

We act for the City of Norwood, Payneham and St Peters (**Council**).

1. Executive summary

We have been instructed to prepare this submission to the Department of Planning, Transport and Infrastructure (**DPTI**) due to the Council's serious concerns regarding the flooding policy and mapping proposed in Phase 3 of the draft Planning and Design Code (**P&D Code**).

Due to the significance of this issue the Council will also be forwarding this separately as a formal stand alone Code submission as part of Phase 3 consultation so that it may be resolved as soon as possible. In due course the Council will make a further submission to DPTI on all other aspects of the P&D Code.

The Council is concerned that the proposed flooding policy and mapping does not maintain the status quo of the Council's present approach to development assessment; contains redundant misleading information; and does not sufficiently address known flooding risks for future development.

The Council strongly urges DPTI to amend the proposed flooding policy and mapping before commencement of the P&D Code, so as to reduce the community's exposure to risk; and reduce the Council and DPTI's exposure to potential liability resulting from flooding associated with developments to be approved under the P&D Code.

2. Redundant floodplain mapping

The Council's current Development Plan contains floodplain mapping at Map NPSP/1 (Overlay 5), which was prepared by Tonkins in 1999 (**Redundant Mapping**). This mapping shows the 1 in 20 year ARI and 1 in 50 year ARI indicative floodplains around First and Second Creeks, but it does not cover the 1 in 100 year ARI indicative floodplain. Further, the

Redundant Mapping also only covers a portion of the Council's area, leaving the balance unaccounted for. The Redundant Mapping is therefore not a comprehensive resource. Further, none of the Council's Development Plan policies refer specifically to the Redundant Mapping.

Through the Residential Development (City Wide Policy) DPA, which came into effect in August 2011, the Council addressed the previous inconsistency in the development assessment standards which are applied throughout the Council area for developments within a floodplain. This inconsistency had occurred as a result of the consolidation of planning policies from the three former councils, prior to amalgamation, all of which were drafted prior to 1997.

Between 1997 and 2011, the Council assessed all Development Applications identified to be at risk of flooding based on the differing policy approach in the three formerly existing Development Plans. This policy included four Principles of Development Control, three of which related to the former City of Kensington & Norwood and one of which applied to the balance of the Council area. At that time, developments within a property affected by a 1 in 20 year ARI were only restricted in the former Kensington & Norwood Local Government Area. This meant that the extent to which an applicant could develop a flood affected property largely depended on which of the former three local government areas a proposed development was located within.

The introduction of the Residential Development (City Wide Policy) DPA in 2011, allowed the Council to consolidate its policies relating to flood affected properties. The DPA objectives sought to ensure that:

- a) no new buildings, structures or extensions be constructed and no new allotments created on land affected by the principal flow path of the 1 in 20 year ARI;
- b) development be suitably protected from the 1 in 100 year ARI; and
- c) development did not impede the flow of floodwaters or exacerbate downstream flooding through the design and location of new buildings and structures.

The Councils risk-based flood policy for new development references both the 1 in 20 ARI and 1 in 100 year ARI flood events. Importantly, this approach, which was endorsed by the DPTI and the Minister for Planning at the time, also ensured the Council could rely upon the latest available flood plain mapping information (rather than including redundant or outdated floodplain maps within the Development Plan) as part of assessing Development Applications for flood affected properties.

The Redundant Mapping was superseded by more recent floodplain mapping undertaken by Tonkins in 2018 (**Current Mapping**). This has meant that the Council now takes the Current Mapping, not the Redundant Mapping, into consideration in development assessment by virtue of the content of the general flooding policy contained within the Development Plan. We understand that the Council is not alone in this practice of reliance upon more recent and comprehensive floodplain mapping in development assessment notwithstanding that precise mapping is not contained in the Development Plan.

However, the draft P&D Code includes the Redundant Mapping as the source of the new mapping for the Hazards (Flooding) Overlay. This reproduction results in a backwards step for planning policy regarding flooding. This Redundant Mapping has not been used as the basis for development assessment for a number of years and the Council is very concerned that it will produce substandard assessment outcomes, resulting in increased risk to public

safety and property damage on flood prone land. This move does not represent the maintenance of the “status quo” in the existing development assessment approach. Further, adoption of the Redundant Mapping has resulted in fragmented and nonsensical mapping results and policy approaches between council areas, which fail to provide a comprehensive overview of actual flood risks. This approach also removes current assessment tools for the management of this risk. An example of this is where the mapping in the Hazards (Flooding) Overlay incorrectly gives the impression that flooding ceases abruptly at council boundaries or arbitrarily switches to an alternative P&D Code Overlay, e.g. Water Resources Overlay at a council boundary (e.g. Third Creek, Firle). This result is obviously inconsistent with the known flooding risk in such areas and the protections currently able to be afforded in development assessment by these councils to developments so affected.

The “Guide to the Draft Planning and Design Code: Rural and Urban Council Areas (Phases Two and Three)” dated October 2019 (**Guide**) outlines that the policy response embodied in the P&D Code has been to refine and transition the mapping of hazards in current Development Plans into new spatial overlays in the P&D Code. The mere transition of the Redundant Mapping into the P&D Code is strongly opposed by the Council given its irrelevance to current day development assessment and because it results in an inaccurate reflection of the known flooding hazards existing within council areas. Further, it would seem that the Guide’s stated opportunity to “refine” the Redundant Mapping in this version of the P&D Code has been missed and should have been taken so as to include the Current Mapping as a default and the most accurate reflection of flooding risks known at the time.

The Guide suggests that future versions of the P&D Code will update the mapping of all flood prone areas using a consistent methodology. Whilst this is a supported outcome, the present flooding protections in the Current Mapping should be incorporated into the P&D Code as the default position until such time as it can be replaced by an improved and consistent approach that is investigated and developed by DPTI.

Further, the Guide acknowledges:

“For councils without a Hazards (Flooding) Overlay, a deemed-to-satisfy provision is included for all residential development in the Design in the Urban Areas General Development Policies. This will require all dwellings to be built 300 mm above the curb [sic] line. This is an interim policy response until further flood mapping work can be undertaken for future iterations of the Code.”

[Our emphasis added]

As the Council has up to date mapping available this approach is a retrograde step (importantly it does not maintain the status quo as referred to in the Guide) and it disables the current development assessment practice for sound risk management. The Council is very concerned of the wider implications of such an approach and the resulting deficiency in this first draft of the P&D Code.

This is not the first time the Council has raised its concerns regarding the inclusion of the Current Mapping with DPTI. We are instructed that the Council raised this issue generally with DPTI early in discussions with DPTI staff concerning facets of the transition to the P&D Code and also specifically in its email to DPTI dated 19 February 2019. On this basis DPTI has had knowledge of the Council’s concerns for a substantial period of time, which time the Council argues would have been sufficient to suitably remedy these issues in an appropriate manner that does not expose stakeholders to greater risks.

3. Inadequate flooding policy

The Guide outlines that the policy response in the P&D Code has been to refine and transition flooding policy from Development Plans into the P&D Code. A comparison between the Council's Development Plan and the P&D Code reveals that existing important flooding policy has not been so transitioned into the P&D Code, including in relation to the Hazards General Development Plan policies specifically.

The Council's City Wide Development Plan policies include the following Principles of Development Control relevant to flooding (**Existing Flooding PDCs**):

Land Division

21 Land should not be divided:

- (a)- (f) ...;
- (g) if the boundaries of the proposed division are likely to cause or exacerbate problems arising from surface drainage;
- (h) if waste produced by the proposed use of the land, or any use envisaged in the Zone and/or Policy Area, will cause pollution of a public water supply or any surface or underground water resource;
- (i) if any portion of any allotment is within the principal flow path of the 1 in 20 year Average Recurrence Interval floodplain;
- (j) unless:
 - (i) the existing ground level of each of the allotments resulting from the division has sufficient area outside the 1 in 100 year Average Recurrence Interval floodplain; or
 - (ii) it can be demonstrated through specific engineering investigations that the land division and future development of each of the allotments affected by the 1 in 100 year Average Recurrence Interval floodplain, would not cause detrimental effects to any adjoining or downstream properties;..

Hazards

167 Development should be excluded from areas that are vulnerable to, and cannot be adequately and effectively protected from, the risk of hazards.

168 Development located on land which is subject to hazards should not occur unless it is sited, designed and undertaken in association with appropriate precautions against the relevant hazards.

Flooding

169 Development, including earthworks associated with development, should not:

- (a) be adversely affected by flooding or inundation;
- (b) impede the flow of floodwaters through the land or the surrounding land;
- (c) increase the risk of flooding of other land;
- (d) adversely affect the level of flood waters on adjoining properties;
- (e) obstruct a watercourse;
- (f) aggravate the potential for erosion or siltation or lead to the destruction of vegetation during a flood;
- (g) occur on land where the risk of flooding is likely to be harmful to safety or damage property; or
- (h) increase the potential hazard risk to public safety of persons during a flood event.

170 No new buildings or structures, or extensions to existing buildings or structures, or portions thereof, should be constructed within any site which is at or below the principal flow path level of the 1 in 20 year Average Recurrence Interval floodplain.

171 The finished ground floor level of all habitable spaces should not be less than 300 millimetres above the 1 in 100 year Average Recurrence Interval floodplain.

[Our emphasis added]

A review of the Hazards (Flooding) Overlay reveals policies (**New Flooding Policies**) that refer to a range of development outcomes for land division and built form within the Overlay. However, these New Flooding Policies only refer to a 1% AEP (Annual Exceedance Probability), the equivalent to a 1 in 100 year ARI. There is no reference in these New Flooding Policies to the 1 in 20 year ARI (5% AEP). Therefore, the status quo in the Council's Development Plan, evidenced expressly by the Existing Flooding PDCs above, has not been maintained in the Hazards (Flooding) Overlay and which only applies defined freeboard heights at the land division stage, where structures are not contemplated or addressed.

The following provision of the New Flooding Policies illustrates an example of a change in approach to the accommodation of a 1 in 100 year ARI event (1% AEP):

Hazards (Flooding) Overlay

Land Division

PO 1.3

Land is not divided unless a layout is achieved whereby roads, parking areas and development sites for each allotment are at least 0.3m above the 1% AEP flood event level, unless the land is, or can be provided with flood protection measures that are appropriate and acceptable for the intended future land use.

DTS/DPF 1.3

None are applicable

[Our emphasis added]

Similarly the following new provision illustrates that the P&D Code does not seek to exclude all development from flood prone land as was the status quo in PDC 167 above, rather it only affords such protections to vulnerable people, community services facilities and emergency services:

Hazards (Flooding) Overlay

Land Use

PO 2.1

Buildings housing vulnerable people, community services facilities and emergency services are sited away from areas of unacceptable flood risk.

DTS/DPF 2.1

Pre-schools, educational establishments, retirement and supported accommodation, emergency services facilities, hospitals and prisons located outside of the 1% AEP flood area.

[Our emphasis added]

Further, the following new provision for building work is less prescriptive than the Existing Flooding PDCs with respect to finished floor level (**FFL**) requirements. This represents another example of a change in approach and a lessening of the design requirements to addressing a 1 in 100 year ARI event (1% AEP):

Hazards (Flooding) Overlay

Flood Resilience

PO 3.3

Buildings sited, designed and constructed to prevent the entry of floodwaters in a 1% AEP flood event where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.

DTS/DPF 3.3

None are applicable

[Our emphasis added]

Outside of the Hazards (Flooding) Overlay, the only policy relating to flood mitigation is found under General Development Policies - Design in Urban Areas - All Residential Development:

Flooding

PO 17.1

Residential accommodation 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 17.1

Residential accommodation has a ground finished floor level 300mm above the top of the kerb level of the primary street.

It is noted that DTS / DPF 17.1 only requires FFLs above top of kerb level, which may assist in stormwater overspill from the primary street, but has no relationship to AEP flood events. Council is also concerned that this provision only relates to residential accommodation, and that such protection does not extend to commercial or other developments. There are stormwater requirements for multi-dwelling sites which require stormwater management plans (**SMPs**) which cater for 1% AEP events, but this is in relation to the stormwater on the development site, not the mitigation of flood impacts on dwellings through design measures relating to FFLs.

The Council is concerned that the New Flooding Policies do not manage the risk of flooding outside of the Hazards (Flood) Overlay. This concerns the Council as there is a significant risk that various developments will be classified as Deemed to Satisfy, meaning that relevant authorities will have insufficient recourse to guard against flood risk. Even for Performance Assessed Development, a relevant authority will be limited to applying the policies within the relevant Assessment Table, which may not include the Hazards (Flood) Overlay policies. Notwithstanding this, the policies within the Hazards (Flood) Overlay are still inadequate as they do not address the principal flow path or the 1 in 20 year ARI issues.

The Council is rightly concerned that the New Flooding Policies do not maintain the status quo of the Existing Flooding PDCs; are insufficient and not comprehensive. Further, we have been instructed that in its discussions with DPTI staff, it was revealed to the Council that these New Flooding Policies were not prepared in consultation with a hydrological engineer. This gives Council even greater cause for concern as there appears to be no reasonable basis for the proposed departure from the existing flood protection policies.

The P&D Code also contains a Water Resources Overlay which relates to the protection of the quality of surface waters as affected by development. This Overlay does not deal with surface waters affecting development, e.g. flooding. In the Council area, this Water Resources Overlay applies along the River Torrens and Third Creek, but not along First and Second Creeks where the Hazards (Flooding) Overlay would apply. The Council is aware that in the City of Burnside, along with other similarly affected councils, the Water Resources Overlay will replace the Watercourse Zone in that Council's Development Plan, which Zone currently manages both flood risk mitigation and water quality. Therefore, the City of Burnside will have seemingly lost its flood risk mitigation policies for these locations and zones in the P&D Code. Council is rightly concerned about the impact of such an approach. Council does not presently understand the rationale behind the approach in these two overlays.

Goals of State Planning Policy 15 have not been achieved

The State Planning Policies set the policy agenda for the P&D Code. State Planning Policy 15 (**SPP 15**) deals with Natural Hazards and seeks that the P&D Code should:

"...include policy that mitigates the adverse impacts from natural hazards, particularly flood and fire. Overlays will be used to identity risks relating to bushfire, flooding and other natural hazards."

Further, SPP 15.1 specifically seeks that the P&D Code should:

"Identify and minimise the risk to people, property and the environment from exposure to natural hazards including ... terrestrial and coastal flooding".

With the inadequacies referred to above the Council is concerned that the P&D Code does not presently comply with SPP 15. In its current form it does not identify or minimise risk to people or property from exposure to flooding on the basis of information and controls presently known and readily available.

4. Unacceptable level of risk in proposed flooding policy

Failing to include the Current Mapping in the P&D Code, or enabling it to be a relevant consideration in future development assessment under the P&D Code, puts the community, the Council, DPTI, the Commission and the Minister for Planning at increased risk. This risk also exists should the New Flooding Policies fail to maintain the status quo of the Existing Flooding PDCs and remain inadequate.

When information is available regarding potential flooding risks, it is entirely reasonable that an owner or occupier of land who suffers property damage or loss attributable to flooding may seek to recover compensation from such entities when that risk was known, was previously mitigated against, and should have been avoided.

Further, it is entirely reasonable that members of the community seeking to develop under the P&D Code should be able to expect that the P&D Code contains accurate information and that it places future development at no additional risk than is the case under the Existing Flooding PDCs. It is not appropriate for the community, or councils, that the first version of the P&D Code contains misleading mapping and variations to Existing Flooding PDCs that have not been supported by hydrological engineers and places such entities at greater risk. This appears to be a policy direction that is not evidence based. It is similarly undesirable for this course to be preferred simply because there is insufficient time available for DPTI to develop new flooding policy and mapping before the deadline for commencement of the P&D Code.

5. Requested amendments to proposed flooding policy

The Council urges DPTI to delete from the Hazards (Flooding) Overlay the Redundant Mapping and insert into the Hazards (Flooding) Overlay the Current Mapping. The Council argues that this is an appropriate course of action because the Current Mapping has been publicly available at the Council since 2018 and this represents a replication of the status quo in the approach to development assessment for the Council. Should DPTI not be amenable to this approach, then the Council seeks that no floodplain mapping be included in the P&D Code for its area, with modifications being made so that the Council and relevant authorities are able to instead rely upon general flooding policy in the P&D Code for both the 1 in 20 year ARI and 1 in 100 year ARI to enable them to consider the Current Mapping as an external document in development assessment. DPTI can then insert appropriate and up to date floodplain mapping across all council areas in a later version of the P&D Code, when it has undertaken the relevant investigations it so requires.

The Council also urges DPTI to review the New Flooding Policies so as to maintain the existing level of flood protection in the Existing Flooding PDCs, until such time as DPTI has undertaken relevant investigation supported by expert hydrological input on any new policy directions.

We look forward to your consideration of these issues and requests. The Council seeks that DPTI provide it with the opportunity to review and comment on any amendments to the New Flooding Policies and mapping before the P&D Code becomes operational.

Please contact Eleanor Walters at the Council on 8366 4521 if you wish to discuss this submission in more detail.

Yours faithfully
Norman Waterhouse



Gavin J Leydon

Principal

T 08 8210 1225 M 0419 869 439

gleydon@normans.com.au

CC Ms Eleanor Walters (by email: ewalters@npsp.sa.gov.au)

Land Use Definitions April 2018 Submission

ATTACHMENT J

File number: S/04364
Enquiries To: Emily Crook
Direct Telephone: 8366 4561



City of
Norwood
Payneham
& St Peters

20 April 2018

Mr Alex Mackenzie
Unit Manager Reform Implementation
Department of Planning, Transport and Infrastructure
By Email

Dear Mr Mackenzie

FUTURE LAND USE DEFINITIONS AND CLASSES

I refer to the release of the Future Land Use Definitions and Classes Technical Discussion Paper by the Department of Planning, Transport and Infrastructure. Thank you for the opportunity to provide input and feedback.

Land use definitions are very important in development assessment processing; interpretation of land use definitions can determine if a change of use has occurred, whether a land use is complying or non-complying, and whether public notification is required. Moving forward, it is expected that land use definitions will be equally, if not more important with the introduction of the Planning and Design Code and the e-Planning System. As the new system intends to provide greater consistency and useability for development across the state, definitions will need to be comprehensive and unambiguous to ensure consistent interpretation.

It is often difficult to predict how definitions could be interpreted or applied in different circumstances, until a unique situation arises. As such, it is greatly appreciated that DPTI are consulting with planning professionals so that we can share our experiences, including questions and difficulties that have arisen in the past, through our application of legislation and Development Plans.

The following points of feedback and comment are provided below under the relevant questions as set out in the Paper.

1 What land use definitions are working well?

- 1.1 'Home Activity' – Subject to slight rewording as suggested in Point 3.6.
- 1.2 'Consulting Room'

2 What improvements could be made to better reflect today's policy and development trends?

Definitions will be especially important for relevant authorities under the Planning and Design Code (the Code) to ensure consistent interpretation of terminology in the assessment tables. For the avoidance of any doubt, every term in an assessment table should have a definition.

175 The Parade
Norwood SA 5067

PO Box 204
Kent Town SA 5071

Telephone
8366 4555

Facsimile
8332 6338

Email
townhall@npsp.sa.gov.au

Website
www.npsp.sa.gov.au



100% Australian Made
Recycled Paper

Community
Well-being is...
Social Equity
Cultural Vitality
Economic Prosperity
Environmental
Sustainability

2.

2.1 Short Term Accommodation

The short term accommodation industry is growing globally and is changing the way people use accommodation services. The accommodation sharing industry in particular (e.g. Air BnB) has introduced accommodation services into residential areas that were previously occupied by permanent residents, when private residences are leased (wholly or partially) to short term tenants.

The Code should clarify when short term accommodation becomes a change of use rather than an incidental use of a dwelling. We are aware of the Media Release from the Minister and the preceding Building Advisory Notice in 2016 which essentially stated that short term accommodation isn't a change of use, however it is relevant to consider the intensity of the short term accommodation use in determining whether a change of use has occurred. A property occupant/owner who short-term leases their property for a few weeks a year while they are on holiday would not ordinarily be considered a change of use, however a property occupant/owner who leases a property in a series of short term leases for the majority or all of the year most likely is a change of land use.

There is potential for short term accommodation to have greater impacts, such as noise and activity on surrounding residents, compared to a permanent residential dwelling. Additionally, interchanging between short term accommodation and permanent residential properties can also be problematic due to differences in need for amenities such as car parking, storage, and private open space. It is recommended that the Code provide definitions for 'short term accommodation' and also subsets of short term accommodation such as serviced apartments/ serviced accommodation, bed and breakfast etc.

2.2 Fitness and Activity Land Uses

The *Development Regulations 2008* currently includes a definition for 'indoor recreation centre', however doesn't provide definitions for any other fitness related land uses. The term 'indoor recreation centre' is often interpreted as applying to a land use such as a YMCA or community indoor sports centre, rather than small scale personal training facilities, group classes for activities such as yoga or dance, or fitness centres such as Goodlife, 24 Hour Fit etc. It is likely that the definition for 'indoor recreation centre' was written before modern fitness activities became popularised. Small scale personal training or activity classes are increasingly popular but can be difficult to assess and categorise if there are no applicable land use definitions. In many cases, the impacts of a small scale yoga studio are likely to be different to a YMCA or school gymnasium, so it would be useful if these types of activities were defined separately.

It is recommended that the Code clarify the intended scope of 'indoor recreation centre' – for example whether the definition includes indoor trampoline activity centres (e.g. Bounce and Latitude) or ice skating rinks. It is also recommended that the Code provide definitions for other recreation related land uses such as gyms, personal training and activity classes.

2.3 Integrated & Mixed Land Uses

Numerous developments do not fit neatly within a singular land use definition. When determining applications incorporating multiple land uses, the relevant authority needs to consider whether the proposal is so integrated so as to not adopt the independent land use definitions (see *Skorpos v Development Assessment Commission and BP Australia Pty Ltd* (1995) 64 SASR 51; and *Port Adelaide Residents Environment Protection Group v City of Port Adelaide & Enfield & Anor* (2014) SAERDC 27) or if different components of the development should be recognised independently (see *District Council of Coorber Pedy v Aboriginal Family Support Services [2014] SASCFC 133* (28 November 2014)).

Examples of different types of land uses which could be either interpreted as integrated land uses, or alternatively as a combination of independent land uses include:

- **service stations** with retail sales area, petrol filling, car wash, motor repairs etc;
- **art studios** which incorporate display areas, art sales, studio where art is made or assembled, art classes and storage;
- businesses which provided both **personal services and curative science/medical services** e.g. 'medi-pedis' which provide pedicures and podiatry services

3.

It is recommended that the Code provide direction on how to categorise developments incorporating a mix of land uses, and/or provide different definitions for developments which are often the subject of this issue (e.g. providing a definition for an integrated service station in addition to a more simplified petrol filling station). With an increased emphasis of mixed use developments in the new planning system, clarity is required of this terminology and whether a proposal is the sum of its individual parts or something warranting its own definition.

Careful consideration should be given to the procedural implications of these definitions; for example in current Development Plans a 'petrol filling station' may be listed as a non-complying development but if a development is determined to be an 'integrated service station' and therefore not a 'petrol filling station', is it appropriate for a 'integrated service station' to be processed as a merit development when the Development Plan clearly intended to discourage petrol stations?

2.4 Residential Definitions

Ageing populations, housing affordability issues and other changing societal and demographic needs result in an increasing demand for a variety of housing and accommodation styles. The following forms of residential development either have definitions which require clarification or are in need of a definition.

- **Residential Flat Buildings**

- *Cheesman & Anor v The Corporation of the Town of Walkerville & Anor [2012] SAERDC 59 and Lewis v The Corporation of the City of Campbelltown [2018] SAERDC 2* have both determined that applications for the construction of more than one two-storey residential flat building is Category 3, rather than Category 2 due to the wording of Schedule 9 Part 2 (18)(a)&(b). If Residential Flat Building is to remain as a definition, it is recommended that either the definition of residential flat building be amended, or the wording of the new Regulations be amended, such that any two-storey residential flat building is Category 2 rather than Category 3.
- *The term 'Residential Flat Building' sounds as though it should apply to a flat building which has upstairs and downstairs units, however the definition can also be applied to two attached single storey dwellings at the rear of a hammerhead allotment with a common driveway. Consideration should be given to whether it is appropriate for 'walk-up flats' to have the same definition as two attached single storey buildings. Perhaps the term 'apartments' could be used for developments which have different dwellings on different levels.*
- **Multiple dwelling** – it is believed that this definition may have originally referred to more than one dwelling on a site, however the current definition relates to the number of independent occupants. It is recommended that this be revised to a description such as *multiple occupancy dwelling*. The definition of multiple dwelling is currently applied to more than five unrelated people living together, however some additional clarity regarding families or couples occupying a multiple dwelling, which results in more than 5 people in total occupying the dwelling, may also be beneficial.
- Dwellings which are part of a **mixed use building** – does a building which contains both commercial and residential uses fall under the definition of a 'residential flat building' or does the fact that the definition for 'residential flat building' is silent on commercial uses, exclude the definition for 'RFB' being able to be applied?
- Whether a **driveway is part of a curtilage** of a dwelling has proven to be a debatable issue which can have significant implications for the definition of a dwelling. This will also have significant implications for the calculation of any Deemed to Satisfy criteria under the new Code and therefore is a priority for review. It is recommended that the Code clarifies to what extent shared access or shared areas should define dwelling definitions. Below are some scenarios where common driveway access has complicated dwelling definitions:
 - Freestanding dwellings which face the street but have common area – this is a common building type on arterial roads where the development is akin to two side-by-side detached dwellings but due to DPTI restrictions for access points on arterial roads, the dwellings are required to share vehicle access and manoeuvring area. These dwellings are not detached dwellings, as they don't have exclusive sites due to the common area. The dwellings are also not group dwellings as both of the dwellings have a frontage to a public road. Therefore, they are currently undefined dwellings.

4.

- Two attached dwellings, which both face the street and have exclusive sites other than the fact that one or both of the dwellings have garages which are accessed via a common driveway (typically this occurs when there are other dwellings at the rear which also share a common driveway). *Baily v City of Norwood, Payneham & St Peters & Anor (No.1) [2009] SARDC 28 (19 June 2009)* found that in a case such as this, the dwellings were appropriately defined as semi-detached dwellings as the dwelling did not form part of the curtilage, however there have been different decisions for similar situations.
- One freestanding dwelling which shares a common driveway with other dwellings which are all attached to at least one other dwelling – i.e. there is one freestanding dwelling in the group. The definition for ‘group dwelling’ applies to “1 of a group of 2 or more detached buildings”; if there is only one detached building, then it can’t be a group dwelling and is therefore undefined.
- Several attached dwellings which all have a frontage to a public road, but vehicle access is provided at the rear via a private common driveway. These dwellings appear to be row dwellings for all intents and purposes, however they are defined as residential flat buildings due to the common driveway. As public notification categories and site area requirements can be different for residential flat buildings vs row dwellings, some developers have intentionally proposed either a common driveway or individual driveways to have the most desirable assessment process, which may not necessarily be the best development outcome.
- Similar to the above, there have been occasions where dwellings would otherwise be defined as detached or semi-detached but share a common visitor parking space.
- Could consideration be given to residential development being defined by the **built form** (i.e. attached, detached, upstairs/downstairs units) rather than **land tenure** and/or access arrangements?
- **Dependent Accommodation** – Due to an ageing population and housing affordability, families increasingly need to care for ageing relatives at home, and adult children are staying in the family home for longer. ‘Dependent accommodation’ or ‘granny flats’ are an effective way of providing alternative accommodation options that provide a desirable level of independence without the risk of isolation and/or the financial burdens of independently owned properties or retirement living complexes. There currently doesn’t appear to be a definition for this style of accommodation and often gets considered as a second dwelling on an allotment.

It is recommended that the Code include a definition of ‘dependent accommodation’ including a distinction between dependent accommodation and an independent dwelling, and any requirements for whether the ‘dependent accommodation’ should be occupied by a family member rather than a private tenant, or if it needs to share facilities with the main house such as a laundry (if this is considered relevant or important). The Code should also provide some development parameters for dependent accommodation such as appropriate building size, car parking requirements etc.

- **Tiny House** – this refers to caravan sized dwellings which are often transportable, typically have more facilities than an average caravan, and are ordinarily intended to be transient but may occupy the same site for extended periods depending on the intentions of the occupant. We have previously received enquiries about the approval process for the construction of a tiny house (which are constructed off site then transported to the desired location) and the approval process for establishing a tiny house to its destination site. How can a building assessment be undertaken for a tiny house if the house is constructed elsewhere before being brought to the subject land? Also, what if the tiny house is located on a site which already contains a dwelling, making the tiny house the second dwelling on the allotment?
- **Student Accommodation** – when is a development ‘student accommodation’ rather than a building in which students happen to reside? Accommodation which is established ‘student accommodation’ can have discounts for criteria such as car parking or private open space, however the development would need to be approved specifically as student accommodation so that it is not leased to the general public. It is recommended that ‘student accommodation’ be defined in the Code, along with policies allowing for any acceptable departures from standard requirements, such as car parking. (see *The Corporation of the City of Marion v WC Projects Pty Ltd* [2017] SASC 74.) That said, a mechanism needs to be incorporated to ensure that ‘student accommodation’ does not become a de-facto way of achieving planning dispensations only to be subsequently converted to dwellings which do not meet the minimum standards.

5.

- **Supported Accommodation/ Retirement Village/ Supported Residential Facility** – Definitions should be provided in the Code for these land uses. Clarification should also be provided regarding whether land uses should be a separate definition from built form i.e. retirement village as a land use and residential flat building as a built form (see *Cheltenham Park Residents Association Inc & ORS v City of Charles Sturt & ORS* [2011] SAERDC 33 (10 August 2011) and *City of Mitcham v The Chappel Investment Company Pty Ltd* [2008] SASC 240 (1 September 2008)). The distinction between land use and built form is of greater relevance to current definitions due to the industry trend of developing “vertical retirement villages” which have very different impacts to traditional lower-scale retirement facilities.

With respect to Supported Residential Facilities (SRFs) in particular, SRFs are defined in the Supported Residential Facilities Act (but not the *Development Regulations 2008*) as a premises where residential accommodation is provided together with personal care services i.e. the accommodation and care by the same provider. It is our understanding that a premises where accommodation is provided as part of a separate contract to personal care is not captured by the definition of SRF which can have implications for both planning policy application as well as inspections by health authorities. It is also our understanding that due to recent changes to the NDIS, there has (or is likely to be) an increase in facilities where accommodation and care are provided by separate contract. Additionally, we have experienced uncertainty in the past as to whether an SRF includes a facility where accommodation is provided on a temporary or respite basis, and whether an SRF includes a permanent residence (whether owned or tenanted) where the resident(s) receives contracted permanent care by employed people. Clarification of this definition would be appreciated.

3. What gaps or areas of conflict are there within our current definitions?

3.1 Bulk Goods/Retail Showrooms

- The definition of ‘**Bulky Goods/Retail Showroom**’ includes a list of example land uses including “garden plants (primarily in an indoor setting)” however the same example land use is included in the definition of ‘**Service Trade Premises**’, therefore it is unclear which definition is applicable to a business which sells garden plants (primarily in an indoor setting).

Similarly, there can be crossovers between ‘Bulky Goods/Retail Showroom’ and ‘Service Trade Premises’ for businesses which sell products such as tiles (i.e. does this count as *floor coverings* or *building materials*), or landscaping tools (i.e. is this *hardware* or *landscaping materials*). Commonly the nature of the land use ends up being determined by the nature of the customer; businesses such as Bunnings, which has a high proportion of domestic, small scale sales is often determined to be ‘bulky goods’ whereas businesses such as Boral Timber, which has a higher proportion of trade sales, is often determined to be a ‘service trade premises’. It is recommended that greater clarification be provided around these two land uses to enable appropriate assessment of their impacts.

- The definition of ‘Bulky Goods/Retail Showroom’ can also cross over with a retail shop, for example ‘homewares’ is an example of goods sold by a ‘Retail Showroom’ however there are several ‘Retail Shops’ which sell exclusively homewares, albeit on a smaller scale e.g. General Trader or Minimax. Although both are types of ‘shops’ it is appropriate to determine which definition is best applied to a particular land use. One way of distinguishing between ‘Bulky Goods/Retail Showroom’ and a ‘Retail Shop’ could be to use floor area limits; typically bulk goods stores require larger floor areas, with the exception of supermarkets which are a retail shop.
- Clarification would also be beneficial for businesses which operate largely, or exclusively, through online sales and distribution; is this a shop/showroom or a warehouse?

3.2 Shop

- ‘**Shop**’ is currently an umbrella term for retail showroom, personal services, retail shop and restaurant. Procedures and opinions as to what constitutes a change of use have changed over time; previously these were seen as interchangeable land uses (i.e. no change of use required) however more recently have been dealt with as discreet uses requiring change of use applications. There have been various Court decisions over time determining when a change of business or activity, under the umbrella of shop, may or may not constitute a change of use (see *Pejafs Pty Ltd v Bitmead* [2012] SAERDC 13, *Frankham v Adelaide CC* [2002] SAERDC 11, *Roberts v Mount Gambier CC* (1979) 42 LGRA 89).

6.

It is recommended that the Code clarify whether a change between types of shops is a change of use. Potential impacts such as noise, car parking, hours of operation, and level of activity and intensity should be taken into account when considering this issue; for example the impacts resulting from a 'bulky goods' shop can be very different to a busy restaurant.

- **Personal Service Establishment** should be provided with a definition

3.3 Intensification

Part 1 (4) of the *Planning, Development and Infrastructure Act 2016* states that a change of use occurs when:

- (a) *the use supersedes a previous use of the land; or*
- (b) *the commencement of the use or the revival of the use follows on from a period of non-use;*
or
- (c) *the use is additional to a previously established use of the land which continues despite the commencement of the new use; or*
- (d) *there is an increase in the intensity of the use of the land which is prescribed by the Planning and Design Code as constituting a material increase in use for the purposes of this paragraph.*

Addressing the issue of intensification in part (d) as a potential change of use is supported, as previously there has been uncertainty regarding at what point a business evolving and growing constitutes a change of use – for example when a take-away food premises with a few seats evolves into a restaurant with several seats. In such circumstances, there is no opportunity to assess whether sufficient bathroom facilities, car parking or building occupancy requirements are appropriate. Presumably the question of intensity being addressed in the Code may also assist in addressing whether a change between different types of shops, as raised in point 3.2 above, is a change of use.

Does a change of use from 1 tenancy into multiple tenancies, or multiple tenancies into 1 tenancy constitute a change of use? The impacts of several smaller shops can, in reality, have different car parking needs and activity levels compared to one larger shop.

3.4 Office

The definition of **office** could be broadened to capture some additional types of activities which can occur in an office without resulting in greater impacts than what could ordinarily be expected for an administrative office – for example, some engineering companies may run infrequent tests of equipment or processes, within the confines of a usual office environment, or the office may include a storage area for such equipment.

Clarification could also be provided regarding the expected frequency of visitors to an office as this has previously been a point of contention for uses such as accountants or building companies which meet with clients on a high turnover basis, in addition to administrative tasks.

3.5 Industry

An 'Industry' is currently defined as (in summary) making, altering, finishing, assembly, cleaning, and treatment of items, goods and materials. It is a broad definition, and one which has previously been applied to uses which do not fit the generally perceived idea of an industry. Examples include:

- A compounding **pharmacy**, or a small scale business whose operations include packaging and labelling bulk orders of medication into smaller, saleable packages;
- **Dry cleaners, laundromats or shoe/watch repairs;**
- **Picture framers;** and
- **Bakeries** (particularly bakeries which make products on site and especially those which sell wholesale to other food businesses, in addition to their own shopfront).

It would be beneficial to provide some parameters or exceptions for when making/packaging/cleaning/repairing are better represented as a customer service (and therefore a shop) rather than an industry. Given changes to high-tech manufacturing and research and development, consideration needs to be given to creating contemporary definitions for "clean and green" industries which have lesser off-site impacts.

7.

3.6 Local Nuisance

The introduction and application of the *Local Nuisance and Litter Control Act 2016* (LNLC Act) has complicated the enforcement and assessment of development applications and land uses.

In the LNLC Act, an activity deemed to be a local nuisance can include an activity which results in noise and other impacts, which have an *adverse impact* on the amenity value of an area. The definitions of a **Home Activity** and a **Light Industry** include the requirement that the activity must not “*detrimentally affect the amenity of the locality or any part of the locality*”.

If a Home Activity or Light Industry are determined to be causing a local nuisance because they have an adverse impact on the amenity value of an area, does this change the nature of the land use? i.e. if a Compliance Officer issues a Nuisance Abatement Notice under the LNLC Act for a land use which is causing an adverse impact, does a planner then need to issue a Section 84 Notice under the *Development Act* for an unauthorised land use because the land use is beyond a ‘Home Activity’ or ‘Light Industry’? Could the wording of these definitions be amended to distinguish between the thresholds of definitions in the Code and the definitions in LNLC Act or is DPTI’s intention that the test be the same for both? A possible solution is to amend the definition of ‘Home Activity’ and ‘Light Industry’ to read “not *significantly* affect the amenity of the locality”. This would mean that just because an activity is causing noise levels which are a Local Nuisance, the activity is not necessarily beyond the scope of a ‘Home Activity’ or ‘Light Industry’.

3.7 Ancillary or Separate Land Uses

Can the Code provide clarification regarding when an activity is an ancillary or separate use compared to when a portion of a development adopts a separate land use definition in its own right. For example:

- businesses often incorporate storage outbuildings or storage areas – what is the test for when this use becomes a standalone **store**? Could this be determined based on the size of the store in relation to the site, or the proximity to the main business operations? There have been occasions when schools have applied for stores on ancillary properties which are not part of the main campus, and there has been confusion as to whether these are best described as a ‘store’, an ‘educational establishment’ or an undefined land use which doesn’t fall into either category;
- shops, warehouses, schools etc often have **offices** for administrative work – when does an office become a separate land use?
- there have been numerous examples of a business acquiring or occupying adjacent allotments to be developed as a **car park** used in association with the main business. On several occasions, all or part of the allotment used for the car park has fallen into a different zone compared to the primary use (for example the office is in a Business Zone but the allotment used for car parking is in a Residential Zone). This has complicated the assessment process as it needs to be determined whether the car park allotment is defined as a ‘car park’, which is not listed as non-complying in the Development Plan, or whether the car park allotment is ancillary to the main office and therefore should be defined as an ‘office’, which is non-complying within the Residential Zone. The question of how to define the car parking allotment is therefore very important in determining how the application is processed.

The Code should clarify whether car parks on separate allotments should be identified as a ‘car park’ or adopt the land use description of the building it is ancillary to. There have been previous court judgements regarding this, however a more recent decision was contained in *Commercial & General Pty Ltd v The Corporation of the City of Adelaide [2013] SAERDC 19 (2 May 2013)*. That said, the circumstances of this car park were slightly different in so far as the car park was owned and operated separate to the SAPOL building, so may not be directly applicable to other scenarios as described above; there have been older judgements relating to this issue.

3.8 Problematic or Absent Land Use Definitions

In addition to others already referred to above, the following land uses have proven difficult to define as they have characteristics which don’t neatly fit into a singular definition, or do not currently have a definition but are referred to in Development Plans:

8.

- **Selection Centre** (particularly for a building company) – building companies can have selection centres located on sites separate from their main offices, which clients attend to make selections regarding materials, fixtures and fittings for their building work. These selection centres are different from a traditional ‘retail showroom’ as there are no transactions or sales on site. Transactions and sales have already taken place via prior meetings between the builder and the client and the selection centres are for display and selections only.
- **Display Home** – similar to ‘Selection Centre’ above, a display home is constructed in the same manner as a dwelling, and often reverts to use as a dwelling after a certain period, but is constructed for the purposes of advertising or demonstrating a product (dwelling design). No sales or contracts are undertaken on the site as all sales take place at the building company offices at a separate site.
- **Call Centres** are typically defined as an office, however they typically have a more intense car parking demand than a regular office due to the concentration of staff.
- **Travel Agent** is typically defined as a shop as the primary purposes is to sell travel services, however a travel agent also has operational characteristics similar to an office.
- **Audio Clinics** and Optometrists (e.g. **Specsavers**) which involve a combination of retail sales with or without medical assessments or services.
- **Chemists/Pharmacies** – chemists/pharmacies offer both retail and medical services
- **Educational Establishment** – is defined as: “*a secondary school, college, university or technical institute, and includes an associated pre-school, primary school or institution for the care and maintenance of children*”. The underlined phrase could be interpreted as applying only to pre-schools and primary schools which are combined (associated) with secondary schools, rather than applying to a standalone primary school. For the avoidance of doubt, several Development Plans list ‘Educational Establishments’, ‘Primary School’ and ‘Pre-school’. It is recommended that the definition be reworded to clarify that a standalone Primary School and Pre-school are included in the definition of Educational Establishment.
- **Entertainment Centre/Live Music Venue/Nightclub** – it is recommended that the Code provide definitions for these land uses. This would be particularly useful to clarify when a premise should be defined as a hotel as opposed to the above uses.
- **Adult Product and Services Premises** – NPSP and Adelaide City Council Development Plans list *Adult products and services premises* and *Adult entertainment premises* as non-complying however there is no definition for these uses in the *Development Regulations 2008*. ACC Development Plan provides a definition for these uses but NPSP Development Plan doesn’t. In *Frankham v Adelaide CC [2004] SASC 263* the Court determined that the definition in the ACC Development Plan was valid, although whether a change from a generic retail shop to an ‘Adult Product Premises’ was not directly explored and requires further investigation.
- **Medical Centre/Health Centre** – although consulting rooms are defined in the *Regulations*, there isn’t a definition for ‘Medical Centre’ or ‘Health Centre’. There appears to generally be a trend towards ‘Medical Centres’ rather than standalone consulting rooms. Although lacking a definition, a ‘Medical Centre’ is generally taken to be a centre which offers a range of consultants as well as (although not always) pathology or pharmaceutical services. Typically, ‘Medical Centres’ will be a more intense use than ‘Consulting Rooms’ which requires more car parks, is typically of a larger scale, and in some cases may offer walk-in services rather than appointments. On previous occasions, the definition between ‘Consulting Room’ and ‘Medical Centre’ has been important in determining if an Application is Complying or not, and what car parking rate is most suitable.

A ‘Health Centre’ may sometimes be used interchangeably with ‘Medical Centre’, however we have previously received legal advice indicating that a ‘Health Centre’ is a public health service, typically targeted to a particular demographic, e.g. Women’s Health Centre. It is recommended that the Code provide definitions for these uses to clarify whether these terms can be used interchangeably.

3.9 Terminology and Assessment

The following points relate to terminology of assessment tools (rather than land use) but are considered very important in constructing the new Code, as definitions will be critical for consistent interpretation of assessment table parameters.

- **Open Space Ratio** is currently included in the Regulations but is considered old terminology. Site coverage is the more commonly used term;
- The definition of **'building'** could be refined;
- **'Site Coverage'** i.e. does this include or exclude eaves, structures which don't require approval such as small sheds, all outbuildings and verandahs, should common area be calculated in site coverage for unit developments, how do you calculate for retirement living complexes which have several units on a single allotment, etc;
- **'Private Open Space'** does this include verandahs, driveways, swimming pools, front yards, sheds etc. Currently some Development Plans and a clause in Rescode provide some parameters for this, however it will be important to define this in the Code for consistency, particularly for public users accessing the e-Planning system.
- **'Storey'** i.e. where a storey starts and ends in relation to natural ground level or the storey above or below (particularly for mezzanines), whether rooftop structures constitute a storey, can a maximum storey height be applied to institutional or commercial buildings etc;
- **'Site'** does a 'site' include common area such as driveways; if the development is a small structure on a large property such as a school campus, is the site limited to the area immediately surrounding the structure or does the site incorporate the whole campus?

4. What land uses and development types might better function if grouped together?

4.1 Grouping Land Uses in the Code

The concept of grouping land uses for some procedural purposes is supported. For example, the Code could list umbrella definitions such as "Residential" or "Short Term Accommodation" in Deemed to Satisfy or Restricted land uses, rather than listing several subsets of these definitions. However, there may be occasions where the policies need to be specific because some of these subsets are not appropriate. For example, in some heritage/character zones or policy areas the locality is heavily characterised by detached dwellings on very spacious allotments. In these circumstances, residential flat buildings or semi-detached dwellings may not be considered appropriate. Additionally, a residential zone may comfortably accommodate domestic short stay accommodation in a converted house, but not multi-level serviced apartments or a motel. In light of this, it is recommended that the Code retain the option of either listing umbrella definitions or individual land use definitions as appropriate.

It is also important to have individual definitions for other procedural matters. For example, currently Development Plans provide different site area and frontage width requirements for different dwelling types (e.g. detached dwellings require 400m² whereas a group dwelling requires 200m²). Public notification is also currently determined by the type of dwelling (e.g. detached dwellings are always Category 1 whereas two-storey group dwellings are Category 2). The Regulations and Code wouldn't be able to provide these distinctions if the different dwelling types or land use types were not defined.

Further to this, individual definitions are very useful in helping to determine how to define a proposed development. If the umbrella term of 'Shop' was used without a further definition for 'bulky goods/retail showroom', it would be difficult to determine whether a business was a 'bulky goods/retail showroom' or a 'service trade premises'. As such, even if umbrella terms are used throughout the Code, it is recommended that subset definitions are also provided.

5. How can we present the concept of land use classes on the Code and reduce the number of change of use applications?

5.1 Land Use Classes in Appropriate Areas

We generally support land use classes (requiring no change of use applications) *in appropriate areas* such as Urban Corridor Zone or District Centre Zones to encourage economic development and reduce 'red tape'. It is assumed that this will be limited to change of use only, and does not involve any built form change.

As part of the *Existing Activity Centres Policy Review (Ministerial) DPA in 2016*, several zones which fall within Designated Areas were amended such that a change of use between shops, consulting rooms and offices meeting certain conditions is a complying form of development; this has a similar effect to land use classes. So far this has not proven to be problematic due to the fairly thorough conditions required to be met, and also because Designated Areas are typically centres or precincts containing a range of uses and a high level of activity.

However, in **suburban** or **commercial fringe** areas, changes between different land uses could have a more significant or noticeable effect and an assessment should be undertaken by a planner to determine whether the impacts are reasonable or otherwise. The impacts or implications of a change of land use occurring without an assessment may include:

- car parking demand can differ significantly. The car parking demand for an office can be very different from a popular café; and
- hours of operation, levels of activity and noise – how could this be managed if there is no change of use assessment? The level of impact resulting from an office or retail shop operating during office hours is very different to a late night café or eatery.

For some land uses, the tenancy or building size is a significant factor in limiting impacts such as noise and car parking. As such, it may be appropriate to allow change of uses to not require a development application for buildings up to a specified size, and the change of use should not involve any external changes or increases in floor area. Another option may be to only allow land use classes to occur within a certain distance of zone boundaries, residential zones or other sensitive uses such that any detrimental impacts which occur as a result of the change of use are minimised.

5.2 Change of Use of Land in PDI Act

Part 1(4) of the PDI Act defines a change of use, including (but not limited to) when a use supersedes a previous use, revival of non-use, an additional use, and increase in intensity. If the Code introduces land use classes with the aim of not requiring a change of use application, it will need to be cognisant of, and not contradict, Part 1(4) of the PDI Act.

5.3 Building Classification

A change of building class can have significant implications for the prospective business operator due to the cost and feasibility of retrofitting a building, particularly if the business operator is not the building owner. There have been several occasions where a business operator has received Planning Consent for a change of use but has not been able to fit out the building for the new building class.

It would be very important to clarify in the Code that even if a change of business does not require a change of land use class for planning purposes, the change of business may still require a building rules assessment if there is a change of building classification. It would also be useful to clarify building code classes in the Code, in addition to planning land use definitions/classes. Alternatively, land uses could only be grouped if they are the same building classification, however this would prohibit changes such as an office to a shop from being included in this process.

5.4 Presentation of grouped land uses or land use classes

To present land uses in groups within the Code, a similar approach to the current definition of 'Shop' could be used:

"shop means—

(a) premises used primarily for the sale by retail, rental or display of goods, foodstuffs, merchandise or materials; or

11.

- (b) a restaurant; or*
- (c) a bulky goods outlet or a retail showroom; or*
- (d) a personal service establishment,*
but does not include—
- (e) a hotel; or*
- (f) a motor repair station; or*
- (g) a petrol filling station; or*
- (h) a plant nursery where there is no sale by retail; or*
- (i) a timber yard; or*
- (j) service trade premises; or*
- (k) service industry”*

An 'umbrella' term could be used with the subset definitions outlined below, with or without any specific caps/exclusions. However, as discussed above it would still be important for each subset land use to be defined to assist people in appropriately categorising their land use e.g. in the manner that 'Bulky Goods/Retail Showroom' is currently defined as well as being a subset of a shop.

5.5 System for Tracking Change of Land Use

It is often difficult to understand the land use history of a property where there has been changeover of businesses without Development Approvals (whether lawfully or unlawfully). Should the Code result in an increase in circumstances where a change of use does not require approval, a system for recording a changeover of business is supported.

One possible recording system is to use an online notification form on the planning portal where a business operator can fill out the following types of fields (which could include drop-down options for consistency and clarity for the user):

- Name & Contact Details
- Address of Property
- Current Use of Property (if known)
- Proposed Use of Property
- Whether the business involves handling of food or other triggers (e.g. hairdressers) which require a referral to a health officer
- Whether any structural work (or other work requiring a building assessment) is proposed which would require a building assessment

In filling in this information, the business operator could be alerted to a possible need for Development Approval if applicable (queries could be directed to the Council). The notification could be forwarded to the Council and kept in an online register for reference by planning, building or health officers. Not only would this give the Council a better history for the property, but it would give the Council the opportunity to advise a business operator if a change of use was required. That said, many Councils may not have the resources available to review all such submissions as this could be a significant administrative burden. It could also become a legal liability; if a Council did not investigate a change of use notification which went ahead without a necessary application, but the Council later became aware of the breach and pursued enforcement action, this should not jeopardise the Council's position in court. As such, careful consideration would need to be given to the administrative and legal implications of such a system.

Thank you for the opportunity to provide feedback on Land Use Definitions and Classes. The Council looks forward to providing comment and input into further planning reform processes and topics as they arise.

If you have any questions regarding the Council's submission, please contact me on 8366 4561.

Yours Sincerely,



Emily Crook
SENIOR URBAN PLANNER

cc. Mr Matt Pinnegar, Chief Executive Officer, Local Government Association.