



NOTICE

of

COUNCIL ASSESSMENT PANEL MEETING

Pursuant to the provisions of Section 82 of the Planning, Development and Infrastructure Act 2016

TO BE HELD IN

**COUNCIL CHAMBERS
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

MEMBERS MAY PARTICIPATE BY ELECTRONIC MEANS

ON

THURSDAY, 16 JULY 2026 AT 6:00 PM

THIS MEETING WILL ALSO BE VIEWABLE AT
<https://www.youtube.com/user/CityOfPlayford>

A handwritten signature in black ink, appearing to read "Leif Burdon".

LEIF BURDON
MANAGER - PLANNING SERVICES
Issue Date: Thursday, 9 July 2026

MEMBERSHIP

MR GEOFF PARSONS – PRESIDING MEMBER

Mr Aaron Curtis
Ms Misty Norris

Mr Adam Squires
Ms Tanya Smiljanic (Deputy)

Mr Paul Mickan

**City of Playford
Council Assessment Panel Meeting**

AGENDA

THURSDAY, 16 JULY 2026 AT 6:00 PM

ACKNOWLEDGEMENT OF COUNTRY

We would like to acknowledge that this land we meet on today is the traditional land of the Kaurna people, and that we respect their spiritual relationship with their country. The City of Playford would also like to pay respects to Elders past, present and emerging.

1 ATTENDANCE RECORD

- 1.1 Present
- 1.2 Apologies
- 1.3 Not Present

2 CONFIRMATION OF MINUTES

RECOMMENDATION

The Minutes of the Council Assessment Panel Meeting held 18 June 2026 be confirmed as a true and accurate record of proceedings.

3 APPLICATIONS WITHDRAWN

4 DECLARATIONS OF INTEREST

5 APPLICATIONS FOR CONSIDERATION – PERSONS WISHING TO BE HEARD

- 5.1 DA 26002853 - 1 Jane Street SMITHFIELD SA 5114 - Change in land use from Dwelling to Office (Retrospective) with associated advertising signage (Attachments)6

Representors: Mr Josh Kennedy
Applicant: Mrs Sarah Hurst

6 APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD

Nil

7 APPLICATIONS FOR CONSIDERATION - CATEGORY 1

Nil

8 OUTSTANDING MATTERS – APPEALS AND DEFERRED ITEMS

Nil

9 OTHER BUSINESS

9.1 STAFF REPORTS

Nil

10 CONFIDENTIAL MATTERS

Nil

11 POLICY DISCUSSION FORUM

Nil

12 CLOSURE

APPLICATIONS FOR CONSIDERATION

APPLICATIONS FOR CONSIDERATION – PERSONS WISHING TO BE HEARD

5.1 DA 26002853 - 1 JANE STREET SMITHFIELD SA 5114 - CHANGE IN LAND USE FROM DWELLING TO OFFICE (RETROSPECTIVE) WITH ASSOCIATED ADVERTISING SIGNAGE

Author:	Oliver Luke
Proposal:	Change in land use from Dwelling to Office (Retrospective) with associated advertising signage
Development Number:	26002853
Date of Lodgement:	26 February 2026
Owner:	Mrs Sarah Hurst
Applicant:	Mrs Sarah Hurst & Mr Jaydon Hurst
Location:	1 Jane Street, Smithfield SA 5114
Zone:	General Neighbourhood
Classification:	Code Assessed – Performance Assessed
Public Notification Category:	Notification required
Representation Received:	Yes
Request for Additional Information Made?	Yes
Recommendation:	To Grant Planning Consent
Attachments:	1 . Plans 2 . Representation 3 . Response to Representation

1. The Subject Land

The subject land is identified as Allotment 205 of Deposited Plan 37656 within Certificate of Title Volume 5149 Folio 21. The site is more commonly identified as 1 Jane Street, Smithfield SA 5114.

The subject land is a rectangular shaped corner allotment with primary frontage to Jane Street of 26.41m, secondary frontage to Main North Road of 9.7m, a corner cutoff of approximately 6.25m and a total site area of 429m².

A single storey detached dwelling sits centrally on the allotment with open space areas on the eastern side (adjacent Main North Road) along with a carport/garage structure on the western side. Vehicle access to the site is obtained solely from Jane Street via rollover kerb. Historically, a single driveway serviced the allotment on the north-western side of the site. However, an additional driveway has recently been installed in proximity to the corner of Jane Street and Main North Road.

A traffic island precludes left-in vehicular access from Main North Road to Jane Street. However, left-out movements from Jane Street to Main North Road are permitted. Additional road and verge infrastructure includes a bitumen footpath, a side entry pit, service pits, and a pram ramp along the Main North Road frontage. A further traffic island is located within the Jane Street road reserve.

The subject land is currently being used for its proposed use, an office, and as such, the application seeks retrospective approval.



Figure 1 – Subject land identified in red.



Figure 2 – Subject land viewed from Jane Street.

2. The Locality

Despite the locality being contained within the General Neighbourhood Zone, land in the locality comprises some non-residential land uses. These include a retail fuel outlet and a childcare facility. Residential land uses are present in a variety of forms. These include detached dwellings on large allotments, courtyard-style detached dwellings on allotments of 300m², and group dwellings with shared driveways and facilities.

From an amenity perspective, Main North Road and the adjacent retail fuel outlet, a Shell OTR, dominate the immediate locality.

The locality, as defined in Figure 3 below, is focussed to the western side of the subject land. The reason for this bias is twofold. Firstly, residential land uses on the eastern side of Main North Road do not present toward the subject land, rather to the east within a local network of cul-de-sacs. Secondly, given the limited access opportunities to Jane Street from Main North Road, vehicles will be required to use the local road network to the west of the subject land to gain access and egress.

2.1 Locality Plan



Figure 3 – Subject land identified in yellow, locality identified in red.

2.2 Zoning

As indicated, the subject land is located within the General Neighbourhood Zone as identified in the Planning and Design Code (the Code). In addition, the following Overlays, Technical and Numeric Variations (TNVs) apply:

Overlays

- Defence Aviation Area (All structures over 90 meters)
- Future Road Widening
- Hazards (Flooding – General)
- Major Urban Transport Routes
- Prescribed Wells Area
- Regulated and Significant Tree
- Stormwater Management
- Significant Retirement Facility and Supported Accommodation Sites
- Traffic Generating Development
- Urban Tree Canopy.

TNVs

- Concept Plan (Concept Plan 81 – Edinburgh Defence Airfield Lighting Constraints)

2.3 Zone Map

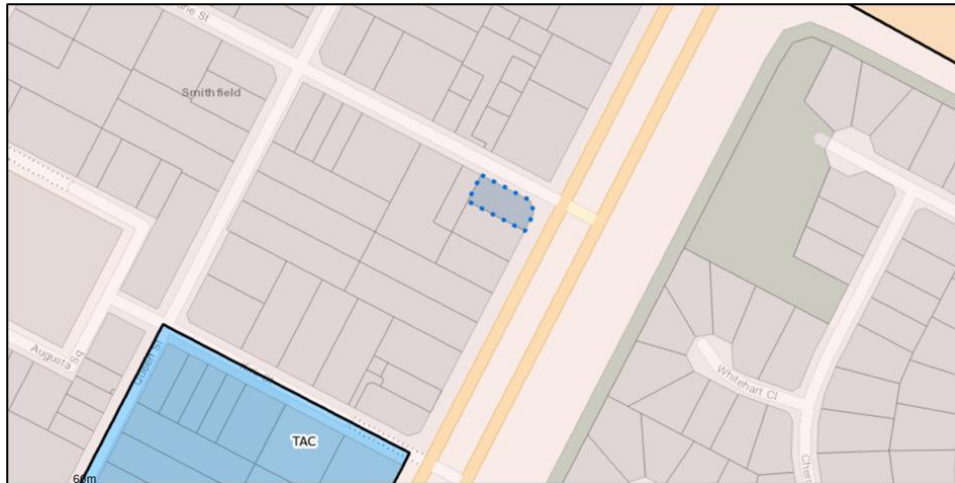


Figure 4 – Subject land within General Neighbourhood Zone

3. Background

The current landowner (the applicant) purchased the property in late 2025. Following the purchase of the property, the applicant requested preliminary planning advice for the placement of signage on the property to advertise a 'small office'. Subsequent planning advice was provided to the applicant on 14 November 2025. This advice covered obligations around the signage as requested. In addition, the preliminary advice flagged the limitations of a 'home activity' as defined under Regulation 3 of the *Planning, Development and Infrastructure Regulations 2017* (PDI Regulations). The applicant was advised that should the business not fall within the ambit of a 'Home Activity', a formal development approval for a change in land use would be required.

In December 2025, Council received advice that an unapproved land use was occurring on the subject land.

In January 2026, Council's compliance team contacted the applicant to advise them that a formal development approval would be required for the change in land use from dwelling to office.

Subsequently, the applicant submitted a formal development application for the change of use from dwelling to office in February 2026.

4. The Proposal

The proposed development seeks a formal change in land use from a dwelling to an office. Given the context provided in section 3 above, the application is retrospective in nature.

The proposed development also includes a small advertisement which includes information related to the land use. The advertisement is located adjacent the main pedestrian entry point, is constructed of brushed stainless steel and possesses dimensions of 600mm high by 400mm wide for a total area of 0.24^m².

It is noted that internal building alterations have occurred to accommodate an appropriate floor plan for the use. However, this work is excluded from the definition of development and as such, is not considered under this application.

The proposed office seeks standard operating hours from Monday to Friday. It will be staffed by up to five (5) persons. Generally, support work is not undertaken at this property. Rather, the office is used as a base for management and scheduling. Attendance to the site by non-employees is by appointment only.

Internal alterations to the dwelling have accommodated four (4) offices, a meeting room, reception and the existing kitchen and bathroom facilities.

It is important to note that the retrospective nature of this development application does not prejudice or predetermine the outcome of the planning application. A full and balanced assessment against the most relevant provisions of the Code is relied upon to determine the suitability of the proposal and inform the decision.

5. Procedural Matters

5.1 Classification

The proposed development seeks to formalise a change in land use from a dwelling to an office with its associated car parking areas. An office is defined in Part 7 of the Code as:

'any building or part of a building used for administration or the practice of a profession, but does not include a consulting room or premises where materials are stored for sale or manufacture'.

Within the General Neighbourhood Zone, no development assessment pathway is returned for either 'Change of use' or 'Office'. On this basis, the proposed development is to be assessed against all relevant provisions of the Code, following a 'Code Assessed – Performance Assessed' pathway.

5.2 Public Notification

All classes of Performance Assessed development require public notification, unless, pursuant to Section 107(6) of the *Planning, Development and Infrastructure Act 2016* (the PDI Act), the class of development is excluded from notification requirements by the Code, in Table 5 – Procedural Matters (PM) – Notification, of the applicable Zone(s).

Table 5 of the General Neighbourhood Zone identifies classes of development which are exempt from notification. In this instance, an Office use is only exempt from public notification where it satisfies several Zone provisions. In this circumstance, the proposed development does not or cannot satisfy any of the relevant criteria within General Neighbourhood Zone DTS/DPF 1.4. On this basis, public notification was required.

The proposal was placed on public notification between 23 March 2026 and 14 April 2026 and satisfied the requirements of Practice Direction 3. During this time, one (1) valid representation was received. This representor supports the development with some concerns and wishes to be heard before the Council Assessment Panel in support of their submission.

A summary of the representation is listed below:

	Representor	Summary of issues	Position	Wish to be heard
1	Mr Josh Kennedy	<ul style="list-style-type: none"> • Increased number of persons visiting site (as opposed to residential use). • Additional demand for vehicle parking. • Limitations of existing road infrastructure. 	Support with concerns	Yes

The sole representor does not reside in proximity to the proposed development and as such, a representors map is not included.

The applicant was afforded opportunity to respond to the matters raised during notification with their response included in Attachment 3.

5.3 Statutory Referrals

Commissioner of Highways (Department for Infrastructure and Transport) – Referral to the Commissioner of Highways was undertaken under the Major Urban Transport Routes Overlay and Schedule 9 (3)(7) of the PDI Regulations, as the development seeks (retrospective) consent to create a new access within 25m of an intersection with a state-maintained road.

Commissioner of Highways (Department for Infrastructure and Transport) has no objection to the proposed development, provided all access and egress from the development is via Jane Street, and has imposed two (2) conditions of consent.

5.4 Internal Referrals

Technical Services (Traffic) – Given the proximity of the new invert to the tangent point of the curve associated with Jane Street and Main North Road, the proposed development was reviewed by Council's Traffic Engineer. Council's Traffic Engineer confirmed that the proposed development can suitably utilise the car parking areas as proposed provided vehicles do not encroach within the road verge.

6. Key Issues

The following matters are considered pertinent in reaching a recommendation for the proposal:

- Whether the proposed office is an appropriate form of development and land use in the context of the General Neighbourhood Zone.
- The extent of impact the office will have on adjoining land uses, including sensitive receivers.
- Whether sufficient off-street vehicle parking has been provided to service the development.

7. Planning Assessment – Zone

7.1 General Neighbourhood – Desired Outcomes & Land Use

Desired Outcome (DO) 1 of the General Neighbourhood Zone seeks low-rise, low and medium density housing that supports a range of needs and lifestyles located within easy reach of services and facilities.

The DO seeks that employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.

Performance Outcome (PO) 1.1 provides further policy context to the desired outcome:

'Predominately residential development with complementary non-residential uses that support an active, convenient and walkable neighbourhood.'

This Performance Outcome is informed by the associated Designated Performance Feature (DPF) 1.1 which seeks that:

Development comprises one or more of the following:

h) Office

Further, PO 1.2 provides additional context for when non-residential development is contemplated and acceptable.

Non-residential development located and designed to improve community accessibility to services, primarily in the form of:

- a) small scale commercial uses such as offices, shops and consulting rooms*
- b) community services such as educational facilities, community centres, places of worship, child care facilities 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.*

Based on the above Zone provision, the change in land use from a dwelling to an office is generally acceptable. DTS/DPF 1.1 specifically calls out an office use as contemplated within the Zone, with the corresponding PO seeking complementary non-residential uses that support the neighbourhood. The proposed office, in the form of a disability support provider, is considered to align with the intent of this PO. There is opportunity for the proposed development to be utilised by landowners/occupiers in the locality for the services it provides and facilitates.

The scale of the proposed land use is important to consider in the context of the General Neighbourhood Zone. PO 1.4 and the corresponding DTS/DPF 1.4 provides context around shops, consulting rooms and/or offices:

General Neighbourhood Zone PO 1.4 seeks:

Commercial activities improve community access to services [and] are of a scale and type to maintain residential amenity.

This PO is informed by the corresponding DPF 1.4 which states:

A shop, consulting room or office (or any combination thereof) satisfies any one of the following:

- c) is located more than 500m from an Activity Centre and satisfies one of the following:*
 - (i) does not exceed 100m² gross leasable floor area (individually or combined, in a single building) where the site does not have a frontage to a State Maintained Road*
 - (ii) does not exceed 200m² gross leasable floor area (individually or combined, in a single building) where the site has a frontage to a State Maintained Road*
- d) the development site abuts an Activity Centre and all the following are satisfied:*
 - (i) it does not exceed 200m² gross leasable floor area (individually or combined, in a single building)*
 - (ii) the proposed development will not result in a combined gross leasable floor area (existing and proposed) of all shops, consulting rooms and offices that abut the Activity Centre in this zone exceeding the lesser of the following:*
 - A. 50% of the existing gross leasable floor area within the Activity Centre*
 - B. 1000m².*

Please note that a) and b) have been omitted from the above policy extract as they are not relevant to the proposed development.

Upon review of the development against the above DPF, it is apparent that a gap exists in the policy. As c) provides context for shop/office/consulting room development where the site of the development is greater than 500m from an Activity Centre. Whilst d) provides context when the development abuts an Activity Centre.

The site of the proposed development neither abuts an Activity Centre, nor is located greater than 500m from an Activity Centre. However, acknowledging that policy silence does not mean that the land use is not appropriate. Notwithstanding the gap in the policy, it is reasonable to expect that these forms of development may have their place within 500m of an Activity Centre and not abutting.

Although the abovementioned DPF 1.4 is not applicable to the proposed development, it is considered that cues can be taken from the policy with respect to the scale of offices, shops and consulting rooms. Reference is made to these uses not exceeding 200m² of gross leasable floor area when abutting a state-maintained road and greater than 500m from an Activity Centre. This 200m² floor area threshold is also referenced where the site abuts an Activity Centre.

The proposed office displays a gross leasable floor area of 108m², improves community access to services and is of a scale to maintain existing levels of residential amenity. Therefore, the development is considered to satisfy the intent of PO 1.4.

The scale of the office for a disability support provider is not expected to unreasonably impact upon the amenity of adjoining residential land uses.

The business comprises a maximum of five (5) employees with standard operating hours of 9:00am to 5:00pm on Monday to Thursday and 9:00am to 1:00pm on Friday. The business will not operate on weekends.

General business operations involve staff attending clients' residents, rather than clients presenting to the business address. Appointments at the office are irregular and by appointment only.

A condition has been recommended relating to operating hours which provides some flexibility to those indicated by the applicant. The intent of this condition is to avoid potential requirement to vary a Development Approval in future.

The proposed change in land use from a dwelling (residential) to an office in this instance is an appropriate form of development in the context of the General Neighbourhood Zone.

7.2 General Neighbourhood – Built form and Character

General Neighbourhood Zone PO 1.3 and 1.4 seek:

PO 1.3 – 'Non-residential development [is] sited and designed to complement the residential character and amenity of the neighbourhood.'

PO 1.4 – 'Commercial activities improve community access to services are of a scale and type to maintain residential amenity.'

The proposed change in land use does not seek to make any external alterations to the existing built form. On this basis, the proposal will not change the existing residential character and amenity from a built form perspective.

The use, as discussed in section 7.1, is contemplated within the Zone and will improve community access to services which are complementary. Further, given the office is to operate out of the existing building, the scale is considered to maintain residential amenity.

It is noted that whilst the subject land is situated within the General Neighbourhood Zone, the general residential amenity within the immediate locality is heavily influenced by the presence of Main North Road and the existing retail fuel outlet. On this basis, the proposed change in land use will not unreasonably alter existing levels of residential amenity.

Car parking associated with the office use is to occur on site. Immediately north of the existing building, the parking area sits adjacent to the retail fuel outlet on the northern side of Jane Street. As such, the off-street vehicle parking, whilst visible from the public realm, is not considered to have an unreasonable impact on amenity.

7.3 Concept Plan 81 – Edinburgh Defence Airfield Lighting Constraints

The proposal is located on the edge of the 'Controlled Light Installation Area', of Concept Plan 81 – Edinburgh Defence Airfield Lighting Constraints and similarly, is located toward the extremity of the Civil Aviation Safety Authority's 6km radius from a (Defence) airfield.

On this basis, the proposed office building is not considered to unreasonably impact the intention of Concept Plan 81.

8. Planning Assessment – Overlays

8.1 Defence Aviation Area

The Defence Aviation Area Overlay seeks to manage the potential impacts of buildings in the operational and safety requirements of the nearby Edinburgh Defence Airbase.

In this instance, no policy contained within the overlay is applicable to the proposed development.

8.2 Future Road Widening

The Future Road Widening Overlay seeks to ensure development is consistent with and will not compromise the efficient delivery of future road widening requirements in designated areas.

In this instance, C Type requirements and the 6m Consent Area are applicable to the subject land, as seen in Figure 5 below.

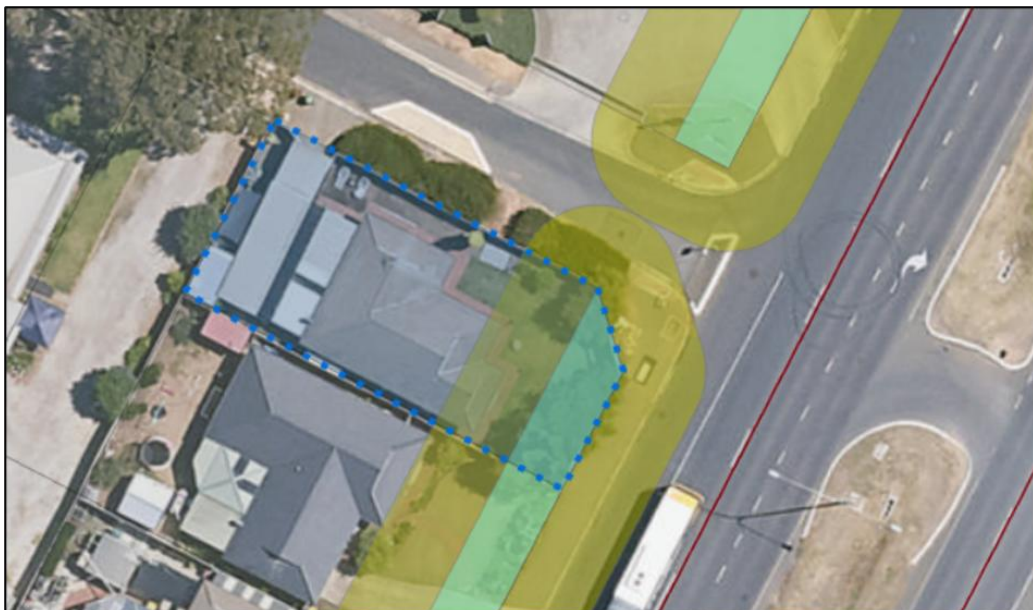


Figure 5 – C Type requirement indicated in green, 6m Consent Area indicated in yellow.

DTS/DPF 1.1 of the Overlay seeks the following:

'Development does not involve building work, or building work is located wholly outside the land subject to the 6m Consent Area, the C Type Requirement or the Strip Requirement of the Metropolitan Adelaide Road Widening Plan'.

Given the proposed development does not seek any building work, rather, a change in land use within the existing building, the proposal is considered to satisfy the policy. In that no building work is proposed, the development was not referred to the Commissioner of Highways under the obligations of this Overlay.

8.3 Hazards (Flooding – General)

The Hazards (Flooding – General) Overlay endeavours to minimise impacts on people, property, infrastructure and the environment from general flood risk through appropriate siting and design measures.

The proposed development does not seek to alter any existing built form or stormwater management infrastructure that exists on the subject land and as such, policy contained within this Overlay does not have any further work to do.

8.4 Major Urban Transport Routes

The Major Urban Transport Routes Overlay seeks to ensure safe and efficient operation and access for major transport routes is maintained for all road users.

The proposed development is considered to change and increase the nature of vehicular movements through an existing access, and, retrospectively, seeks a new access to the site via Jane Street.

Despite the allotment possessing dual street frontage to Jane Street on the northern side and to Main North Road on the eastern side. Vehicle access is obtained solely via Jane Street. The Jane Street frontage possesses rollover kerb and gutter, with longstanding site access and vehicle parking areas associated with the former residential use located on the western side of the dwelling. Since commencement of the office use, an additional vehicle parking area has been installed toward the eastern side of the allotment, in proximity to Main North Road.

No left in access from Main North Road to Jane Street is attainable, with a traffic island and signage blocking the carriageway. An additional traffic island on the southern side of Jane Street further restricts westerly traffic movements in proximity to the junction with Main North Road, these traffic devices can be seen in Figure 6 below:



Figure 6 – Raised islands precluding left-in access to Jane Street from Main North Road.

The limitations of vehicle access from Main North Road ensure that safe and convenient access to the subject land can be obtained via the local road network. Given the low-intensity office use proposed, no adverse impacts to the existing network are expected.

The development was formally referred to the Commissioner of Highways under this Overlay and as discussed in Section 5.3 of this report, the delegate for Commissioner of Highways has no objection to the proposed development subject to two (2) conditions of consent.

8.5 Prescribed Wells Area

This Overlay seeks to protect existing water resources and promote sustainable water use in Prescribed Wells areas, particularly relating to land uses with intense water use requirements.

The proposed development will not have a detrimental impact upon the Prescribed Wells area.

8.6 Regulated and Significant Tree

This Overlay seeks to retain, protect and conserve regulated and significant trees to provide aesthetic and environmental benefits.

The proposed development does not seek tree-damaging activity.

8.7 Significant Retirement Facility and Supported Accommodation Sites

A new Overlay contained within the Code, this Overlay seeks to provide clear guidance on the delivery of accommodation for ageing residents in the community.

No policy relevant to the proposed development is contained within this Overlay.

8.8 Stormwater Management

The Stormwater Management Overlay seeks that water sensitive urban design techniques are incorporated into new development to capture and re-use stormwater.

As the proposed development does not seek new building work, no policy is applicable to the assessment and determination of the proposal.

8.9 Traffic Generating Development

This Overlay seeks to ensure safe and efficient operation and access for transport routes for all road users.

The proposed change in land use from a dwelling to an office will result in more frequent traffic movements to and from the site. PO 1.1 of the Overlay seeks that:

'Development [is] designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network'.

As discussed in the Major Urban Transport Routes Overlay section 8.4, the proposed development does not seek to obtain vehicular access via the adjacent state-maintained road. All vehicle access is obtained via Jane Street on the northern side of the site. Opportunity to enter Main North Road from Street exists when leaving the premises. However, given the low-intensity nature of the proposed office these movements are not considered to result in unreasonably impact or queuing.

8.10 Urban Tree Canopy

The Urban Tree Canopy Overlay seeks to ensure residential development preserves and enhances urban tree canopy through the planting of new trees and retention of existing mature trees.

As the proposed development does not seek new residential uses, this overlay has no work to do.

9. Planning Assessment – General Development Policies

9.1 Advertisements

General development policies relating to advertisements seek to ensure that they are appropriate to context, efficient in communicating their purpose with the public, and limited in number to avoid the appearance of clutter. To this end, a number of policies guide how advertisements should be implemented.

General Development Policies – Advertisements PO 1.1 seeks that:

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

Further, General Development Policies – Advertisements PO 1.5 seeks:

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

The development seeks for one (1) small advertisement, located adjacent to the building entry. The advertisement contains the business logo and name, office hours and contact number. The sign is constructed of brushed stainless steel and possesses dimensions of 600mm high by 400mm wide for a total area of 0.24m².



Figure 7 – Sole advertisement for the proposed change in land use.

The advertisement is limited to information relating to the proposed use of the land and assist in readily identifying that land use, which further satisfies PO 3.1 which states:

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

It is considered that the advertising signage proposed is modest, aligning with the above policy. It is also noted that the sign only marginally exceeds the requirements set out in Schedule 4(1) of the PDI Regulations as excluded from the definition of development.

9.2 Interface Between Land Uses

A suite of policies is contained within the General Development Policies which relate specifically to land use interface, suitability and mitigation of unreasonable impacts. The subject land is suitably placed to house the proposed office given the mixed-use nature of its immediate surrounds. Acknowledging the site adjoins sensitive receivers on the western and southern sides, it is considered that the proposed use is of a sufficiently low intensity, will not generate unreasonable noise and will not create additional unreasonable traffic movements to align with PO 1.2 which desires to minimise adverse impacts from non-residential uses on sensitive receivers.

General Development Policies – Interface Between Land Uses PO 1.2 seeks:

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

This PO is informed by the associated DPF 1.2 which seeks that:

Development operating within the following hours:

Class of Development	Hours of operation
Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday

Further, General Development Policies – Interface Between Land Uses PO 2.1 seeks:

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

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

The proposed office, as discussed in Section 7.1, proposes the following hours of operation:

- 9:00am to 5:00pm on Monday to Thursday inclusive; and
- 9:00am to 1:00pm on Friday.

As also discussed, a condition governing operating hours has been recommended. However, some flexibility has been afforded with the condition allowing operating hours of 8:30am to 5:30pm on Monday to Friday.

Given the nature of the proposed land use, no specific measures to mitigate off-site impacts are proposed nor required. The use, an office, is explicitly called out as a land use which is acceptable in the context of the General Neighbourhood Zone.

The proposed change in use from dwelling to office will not have any undue impacts on adjoining land with respect to overshadowing, noise or vibration, air quality or light spill.

9.3 Transport, Access and Parking

Policy contained within this section seeks that development is well integrated with existing transport systems, ensuring safe, sustainable, efficient and accessible movement for all users.

Transport, Access and Parking PO 5.1 seeks:

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

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

This PO is informed by the associated DPF 5.1 which seeks that:

Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:

- a) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas if the development is a class of development listed in Table 2 and the site is in a Designated Area*
- b) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements where (a) does not apply*
- c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.*

As the site is not located in a designated area, the following vehicle parking rate for an office use, as reflected in Table 1 of the module, is applicable:

4 spaces per 100m² of gross leasable floor area.

The proposed office comprises a total floor area of 109m² and as such, requires five (5) off-street vehicle parks. Two (2) areas for off-street vehicle parking are available for the proposed office. One area within the existing carport, comprising two (2) double-stacked

vehicle parks. A further four (4) spaces are located immediately adjacent the building entry. All vehicle parking areas are accessed via Jane Street. In that six (6) off-street vehicle parks are provided; the proposed development is considered to satisfy off-street vehicle parking requirements.

PO 3.1 of the Transport, Access and Parking module seeks:

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

The proposed development maintains safe and convenient vehicle access from Jane Street, minimising disruption on the operation of adjoining public roads. As discussed, in Section 5.4, Council's Traffic Engineer has reviewed the proposed development given the location of the car parking spaces in proximity to the junction of Jane Street with Main North Road. Given existing traffic limiting devices, access and egress from all vehicle parking areas onsite, particularly, the eastern parking areas, is still considered safe and convenient.

It is noted that all car parking areas associated with the change in land use require reversing out-movements. Whilst egress in a forward direction is generally sought, the low-intensity nature of the development coupled with the adjacent local road with traffic limiting devices, provides a level of comfort that reversing movements are acceptable. It is also noted that the operation of the office does not include constant appointments/visitors throughout the day.

10. Conclusion

The proposed change in land use from a dwelling to an office (retrospective) is considered an appropriate form of development in the General Neighbourhood Zone, the applicable Overlays and relevant General Development Policies contained within the Code. In summary:

- An office is a contemplated form of development within the Zone and provides services to the community at an appropriate scale.
- The low-intensity use of the office is considered acceptable in the context of the mixed-use locality and is not expected to have unreasonable impacts on the amenity of adjoining sensitive land uses.
- Suitable vehicle access and off-street parking has been provided to satisfy and exceed minimum requirements as set out in General Development Policies – Transport, Access and Parking for an office use.

On balance, the proposed change in land use from dwelling to office (retrospective) is not considered to be seriously at variance with the relevant provisions of the Code. The proposal warrants Planning Consent subject to the Conditions and Advisory Notes listed in the recommendation on page 22.

11. Recommendation

STAFF RECOMMENDATION

It is therefore recommended that the Council Assessment Panel resolves to:

1. DETERMINE that the variation is not seriously at variance with the provisions of the Planning and Design Code.
2. GRANTS Planning Consent to the application by Mrs Sarah Hurst and Mr Jaydon Hurst for the change in land use from a Dwelling to an Office (Retrospective), subject to the following Conditions:

Conditions

1. The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
2. The business shall be restricted to hours of operation between 8:30am to 5:30pm on Monday to Friday inclusive.
3. The area set aside for the parking of vehicles shall be made available for such use and shall not be used for any other purpose.

Conditions imposed by the Commissioner of Highways under Section 122 of the *Planning, Development and Infrastructure Act 2016*

1. All access to/from the development shall be gained via Jane Street and as per the site plan uploaded to the Planning Portal on the 12 of March 2026.
2. Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

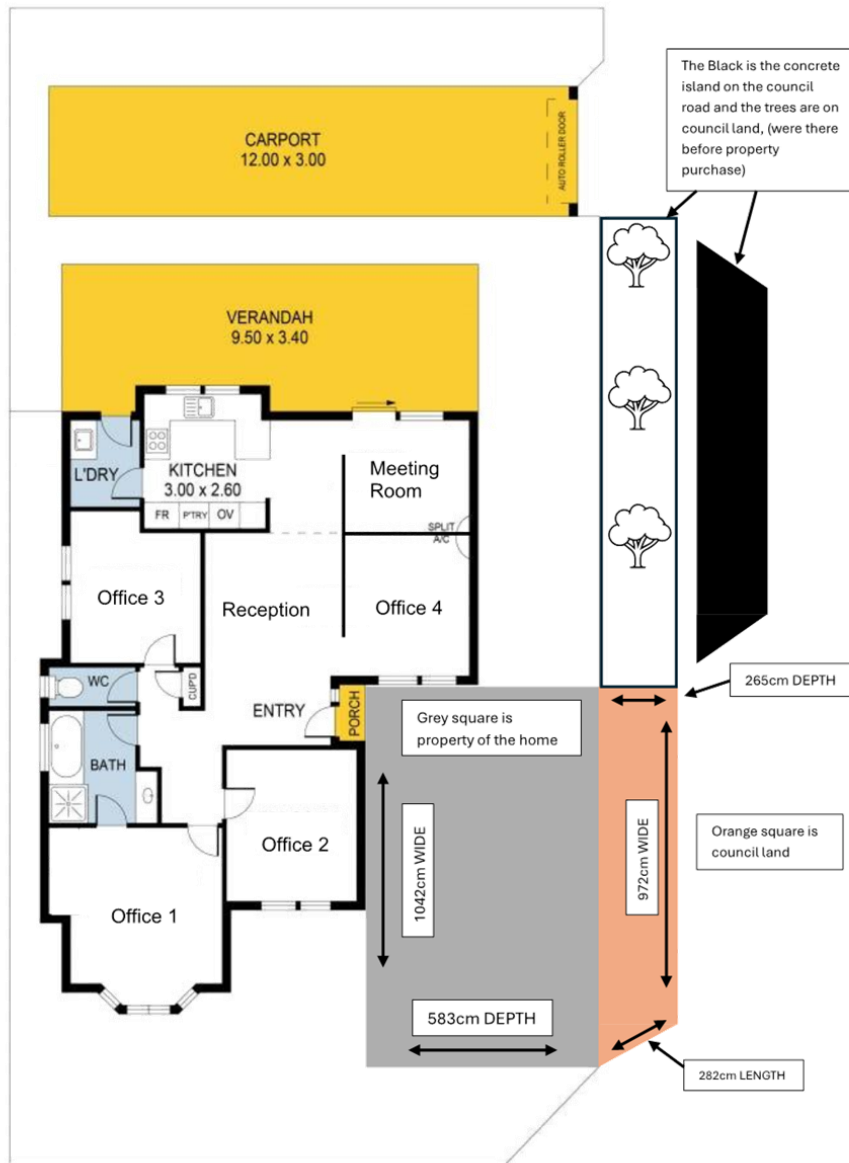
Advisory Notes

1. You are further advised that Building Rules Consent may be required for the application pursuant to the Planning, Development and Infrastructure Act 2016 (due within 2 years of the date of Planning Consent).
2. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

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

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).



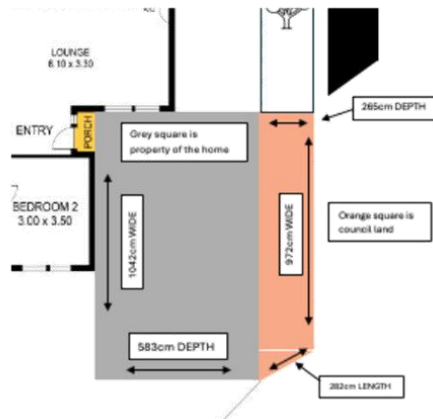
AREAS (Approx.)	m ²
LIVING	109.37
VERANDAH	30.78
PORCH	0.78
CARPORT	36.00
TOTAL	176.93

1 Jane Street, Smithfield

Please Note: Every care has been taken to verify the correctness of the areas and details used in this leaflet. No warranty or representation is given or made as to the correctness of the information supplied and neither the owners, illustrator nor the Agent accept responsibility for errors or omissions. The sketch is for illustration purposes only and intending purchasers should satisfy themselves independently regarding sizes, layout and location of the property. Please check with local council that all structures are approved by council.

A to-scale site plan has been prepared using the supplied measurements to ensure the proposed driveway dimensions are accurate.

Vehicle access to the property is from Jane Street, with the driveway designed to accommodate up to four vehicles with the rear carport accommodating an extra 2 vehicles, accommodating a total of 6 vehicles, however 6 vehicles will rarely be on the property. Access to the premises will occur via the front entry between 9:00am and 5:00pm, Monday to Friday (Appointment Only). This has been designed to ensure vehicles can enter and exit the property safely without obstructing the street, supporting the safety of both site users and passing public traffic.







Details of Representations

Application Summary

Application ID	26002853
Proposal	Change in land use from Dwelling to Office (Retrospective)
Location	1 JANE ST SMITHFIELD SA 5114

Representations

Representor 1 - Josh Kennedy

Name	Josh Kennedy
Address	3 Illawarra ct WEST LAKES SHORE SA, 5020 Australia
Submission Date	29/03/2026 10:27 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns

Reasons

The number of occupants has increased and given the expected company growth and including the visitors the parking will undoubtedly spill into the street. Suggest to remove the pointless concrete island (shown in black in the plans) as it serves no purpose given that theres already restricted 1-way access to the street from the adjoining main road.(Main north Rd).

Attached Documents

Letter to Representer,

We acknowledge the commenter's concern regarding parking spill-over. Please note that on-site attendance has been reduced through regular work-from-home days and all office visits are by appointment only. As the business grows, we will further mitigate demand by increasing support coordinators' home visits and implementing "working on the road" arrangements, together with active travel incentives and staggered start/finish times.

The concrete island shown in black on the plans is not located on land owned or controlled by our organization, so we do not have authority to remove or alter it. Noting the restricted one-way access from Main North Rd, we suggest the relevant landowner/authority consider removal of the island to improve curbside capacity and circulation. We remain willing to liaise with Council/PlanSA and the landowner to explore this and any other parking management measures.

Thank you,

Disability to Ability SA

