



This practice direction is issued by the State Planning Commission under section 42 of the *Planning, Development and Infrastructure Act 2016*.

### Introduction

Section 42 of the *Planning, Development and Infrastructure Act 2016* (the Act) allows the State Planning Commission (the Commission) to issue practice directions for the purposes of the Act. Generally, practice directions specify procedural requirements or steps in connection with a matter arising under the Act. In certain cases, the Act requires a particular matter to be addressed or dealt with by a practice direction.

This practice direction is being made by the Commission to support the operation of section 71(b), 102(1)(a), 102(1)(c) and 102(1)(d) of the Act and Regulation 19A of the *Planning, Development and Infrastructure (General) Regulations 2017* (the Regulations) with respect to the assessment, approval and publication of building envelope plans referred to in the Planning and Design Code.

### Practice direction

#### Part 1 – Preliminary

##### 1 – Citation

This practice direction may be cited as the *State Planning Commission Practice Direction 15 (Building Envelope Plans) 2021*.

##### 2 – Commencement of operation

This practice direction will come into operation on the day on which it is published on the SA Planning Portal.

##### 3 – Object of practice direction

The object of this practice direction is to specify the criteria for assessment, approval and publication of a building envelope plan in accordance with the Act and the Regulations, and as referred to in the Planning and Design Code.

##### 4 – Interpretation

In this practice direction, unless the contrary intention appears –

**Act** means the *Planning, Development and Infrastructure Act 2016*.

**building envelope plan** means a building envelope plan as that term is defined in the Regulations.

**Commission** means the State Planning Commission.

**master planned zone** means the Master Planned Neighbourhood Zone, Master Planned Township Zone or the Master Planned Renewal Zone in the Planning and Design Code.

**proposed allotment** means an allotment shown on a building envelope plan and which has been granted consent under section 102(1)(a) of the Act or section 33(1)(a) of the *Development Act 1993*, and which is intended to be either a torrens titled allotment approved under section 102(1)(c) of the Act or section 33(1)(c) of the *Development Act 1993* or a community titled or strata titled allotment approved under section 102(1)(d) of the Act or section 33(1)(d) of the *Development Act 1993*.

**Regulations** means the *Planning, Development and Infrastructure (General) Regulations 2017*.

Note: Section 14 of the *Acts Interpretation Act 1915* provides that an expression used in an instrument made under an Act has, unless the contrary intention appears, the same meaning as in the Act under which the instrument was made.

## **Part 2 – Approval and publication of building envelope plans**

### **5 – Timing for application for assessment of building envelope plans**

Prior to an application for assessment of a building envelope plan being made, all proposed allotments shown on a building envelope plan:

- (1) must have been granted consent under section 102(1)(a) of the Act or section 33(1)(a) of the *Development Act 1993*;
- (2) may (or may not) have been granted land division consent under section 102(1)(c) or section 102(1)(d) of the Act or section 33(1)(c) or section 33(1)(d) of the *Development Act 1993*; and
- (3) may (or may not) have been created as allotments by means of deposit of a plan of division.

### **6 – Form of building envelope plans**

- (1) A building envelope plan **must** include or show the following particulars:
  - a. details of consent for all proposed allotments, granted under section 102(1)(a) of the Act or section 33(1)(a) of the *Development Act 1993* (as relevant);
  - b. distance of setback of any proposed building on a proposed allotment, from the primary and secondary street boundaries, side boundaries, and the rear boundary of the proposed allotment (shown in metres to at least one decimal place);
  - c. height and length of any boundary walls for any proposed building on a proposed allotment (shown in metres to at least one decimal place);
  - d. the north point;
  - e. the scale of the plan;
  - f. the position of any existing buildings intended to be retained on a proposed allotment;
  - g. the location of any regulated tree which is either wholly or partially within a proposed allotment (including any tree protection zone applicable to such tree);

- h. existing trees and vegetation to be retained; and
  - i. all existing registered easements.
- (2) A building envelope plan **may** include or show the following particulars:
- a. building height for any proposed building on a proposed allotment (nominated in building levels and metres);
  - b. private open space (shown in square metres) for each proposed allotment;
  - c. location and width of any vehicle access point intended to service a proposed allotment (shown in metres to at least one decimal place);
  - d. location and size (shown in square metres) of land on a proposed allotment intended to be utilised or made available for stormwater management infrastructure;
  - e. finished floor levels for any proposed building on a proposed allotment;
  - f. the contours of the present surface of the ground above some known datum level sufficient to determine the intended level or gradient of all proposed allotments (and where the land is to be filled or graded, both existing contours or levels and proposed contours or levels must be shown);
  - g. where land is intended to be filled or graded, the length and height (in metres) of any retaining walls located within the relevant site;
  - h. the location of any proposed activity centre; and
  - i. location, size and/or dimensions (as necessary) of any other items relevant to the assessment of a building envelope plan under the Planning and Design Code, including (but not limited to) activity centres, public open spaces, high frequency public transit services associated with, adjacent to or servicing proposed allotments.
- (3) A building envelope plan **must** be drawn in accordance with the following rule of scale:
- a. if the area of the smallest proposed allotment is 2,000 square metres or under, a scale of not less than 1:1,000;
  - b. if the area of the smallest proposed allotment is over 2,000 square metres and under 10,000 square metres, a scale of not less than 1:2,500; or
  - c. if the area of the smallest proposed allotment is 10,000 square metres or over, a scale so that such proposed allotment will be delineated by no less than 3cm<sup>2</sup> on the building envelope plan.

## **7 – Criteria for assessment and approval of building envelope plans**

For the purpose of an assessment under Regulation 19A, a building envelope plan must be assessed on its merits against any relevant desired outcomes or performance outcomes within any applicable zone, subzone or overlay, and any relevant general development policies, in the Planning and Design Code.

## **8 – Publication of building envelope plans**

- (1) The Chief Executive may publish a building envelope plan on the SA planning portal in accordance with the Act and the Regulations.

- (2) Where a varied or amended building envelope plan is published by the Chief Executive in accordance with the Regulations, the latest published version of the building envelope plan will apply for the purposes of the Planning and Design Code, the Regulations and the Act.
- (3) For the purpose of the Regulations and this Practice Direction, the SA planning portal is taken to refer to the website at the address <https://plan.sa.gov.au>.

Practice Direction 15 *Building Envelope Plans* issued by the Commission on 19 March 2021 is revoked.

**Issued by the State Planning Commission on 27 May 2021**

### **Versions**

- Version 2: Commenced operation on 27 May 2021
- Version 1: Commenced operation on 19 March 2021