

His Worship the Mayor  
Councillors  
City of Marion

## **Notice of Planning and Development Committee**

Council Chamber, Council Administration Centre  
245 Sturt Road, Sturt

**Tuesday, 1 August 2023 at 5.30 pm**

The CEO hereby gives Notice pursuant to the provisions under Section 83 of the *Local Government Act 1999* that a Planning and Development Committee will be held.

A copy of the Agenda for this meeting is attached in accordance with Section 83 of the Act.

Meetings of the Council are open to the public and interested members of this community are welcome to attend. Access to the Council Chamber is via the main entrance to the Administration Centre on Sturt Road, Sturt.



Tony Harrison  
Chief Executive Officer

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**1 Open Meeting****2 Kurna Acknowledgement**

We acknowledge the Kurna people, the traditional custodians of this land and pay our respects to their elders past and present.

**3 Elected Member Declaration of Interest (if any)****4 Confirmation of Minutes****4.1 Confirmation of Minutes of the Planning and Development Committee Meeting held on 2 May 2023**

<b>Report Reference</b>	PDC230801R4.1
<b>Originating Officer</b>	Business Support Officer – Governance and Council Support – Cassidy Mitchell
<b>Corporate Manager</b>	Manager Office of the Chief Executive – Kate McKenzie
<b>General Manager</b>	Chief Executive Officer – Tony Harrison

**RECOMMENDATION**

That the minutes of the Planning and Development Committee Meeting held on 2 May 2023 be taken as read and confirmed.

**ATTACHMENTS**

1. PD C 230502 - Final Minutes [4.1.1 - 9 pages]



**Minutes of the Planning and Development Committee  
held on Tuesday, 2 May 2023 at 5.30 pm  
Council Chamber, Council Administration Centre  
245 Sturt Road, Sturt**



**PRESENT**

Councillor Nathan Prior (Chair)  
His Worship the Mayor Kris Hanna  
Councillor Renuka Lama from 5:34pm

**In Attendance**

Councillor Sarah Luscombe  
Acting Chief Executive Officer – Ben Keen  
General Manager City Development – Tony Lines  
Manager Development & Regulatory Services – Warwick Deller-Coombs  
Team Leader - Planning – Alex Wright  
Senior Urban Planner – Kai Wardle  
Executive Officer to the General Manager City Development – Mina Caruso

**1 Open Meeting**

The Chair opened the meeting at 5:32pm.

**2 Kurna Acknowledgement**

We acknowledge the Kurna people, the traditional custodians of this land and pay our respects to their elders past and present.

**3 Elected Member Declaration of Interest (if any)**

The Chair asked if any member wished to disclose an interest in relation to any item being considered at the meeting.

The following interests were disclosed:

- Nil

**4 Confirmation of Minutes****4.1 Confirmation of Minutes of the Planning and Development Committee Meeting held on 7 March 2023**

Report Reference PDC230502R4.1

**Moved Mayor Hanna****Seconded Councillor Prior**

That the minutes of the Planning and Development Committee Meeting held on 7 March 2023 be taken as read and confirmed.

**Carried Unanimously**



## 5 Business Arising

### 5.1 Business Arising Statement - Action Items

Report Reference PDC230502R5.1

The schedule of upcoming items was discussed, and the following discussion points were noted:

- That Item 6 Confidential Items – 6.1 Confidential Business Arising Statement – Action Items will not be discussed since there is no new information to disclose.
- The Committee consented to developers presenting the following project updates at future PDC meetings.
  - Seacliff Development
  - Oaklands Green Development
  - Flinders University (potentially the masterplan and the new students' village)

## 6 Confidential Items

### 6.1 Cover Report - Confidential Business Arising Statement – Action Items

Report Reference PDC230502F6.1

This item was not discussed.

## 7 Reports for Discussion

### 7.1 Code Amendments Update

Report Reference PDC230502R7.1

The Manager Development and Regulatory Services provided a brief update on recent and active Code Amendments (both Council initiated and privately initiated).

The following discussion points were noted:

- The Senior Policy Officer role has not been able to be filled by a suitable candidate and currently readvertised.
  - The Committee queried whether there is a need to fill the role of Senior Policy Officer and noted that progress on the Code Amendments is slow.
  - Prior to recruitment, management discussed and reviewed the possibility of not backfilling the role and opted to advertise the role with some modifications to the Position Description to reflect the role's new focus and value.
  - Management is currently reviewing the merits of backfilling any vacancies within the organisation.

### **Council Initiated Code Amendments**

#### ***Morphettville and Glengowrie Horse Related Activities***

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PDC230502 - Planning and Development Committee Meeting - 2 May 2023



- The Manager Development and Regulatory Services presented the committee with a map depicting interim results from engagement with residents to determine if the amendment should proceed.
  - 13 responses have been received to date (9 Yes and 4 No). Responses being from stable owners and non-stable owners. (This is a non-statutory engagement to seek community feedback on whether to proceed with the amendment.)
  - The consultation process to continue for another two weeks in line with Council's Community Consultation Policy.

Further comments and discussion by the Committee were:

- Subject to the final results of the community feedback, Council is wanting to proceed with the code amendment, unless there is a resounding opposition to doing so.
  - The committee expressed disappointment that the complete results had not yet been obtained. Staff noted that progress on the policy had slowed, primarily due to the Senior Policy Officer vacancy and additional staff absences as a result of leave and illness.
  - The Manager Development & Regulatory Services committed to providing relevant updates via email to keep progressing the code amendment.

#### **ACTION**

**Upon receipt of the complete set of results, an email outlining the complete results will be sent to the Committee prior to the next meeting in order to assist the Committee's decision regarding whether to proceed with the code amendment.**

As per Council's recommended Order of Priorities at the last PDC meeting the following discussion notes were noted:

#### ***Priority 3 – Centre Zones AND Priority 4 – Urban Corridor – Marion Road***

- No new developments to report.
- Projects on hold pending staff resources coming online.

#### **Privately Initiated Code Amendments**

##### ***Lots 51 and 52 Morphett Road Glengowrie (SAJC)***

- SAJC is experiencing delays in its engagement process pending critical feedback from the Department of Infrastructure and Transport.
  - SAJC will make this information available to Council when received.

Further comments and discussion by the Committee were:

#### ***Southern Suburbs Residential Policy – Code Amendment***



At the 7 March 2023 PDC meeting, the Committee endorsed the Southern Suburbs Residential Policy proposed amendment to be put before General Council (GC) for a decision. Staff envisage this report to be put to GC by the end of June 2023.

- The Committee queried why June 2023, given that there is no specialised work to be carried out, and it is merely a matter of placing the report on the GC agenda.
  - The Southern Suburbs Residential Policy - Code Amendment report is complete and ready to proceed, however, in order for the project to proceed to public consultation, a dedicated resource is required.
  - Staff will endeavor to bring this report to the next available GC.

### Centre Zones

Documentation is being prepared to bring to Council for engagement in line with current priorities as noted at the 7 March Committee meeting.

- This documentation is being worked on by a Planning Officer when time permits. In order to make progress and get the work done, the Committee proposed the possibility of outsourcing the workload.
  - Staff committed to investigate this option.

## 8 Reports for Noting

### 8.1 Development Services Activities Update

Report Reference	PDC230502R8.1
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Report was taken as read and the following discussion points were noted by the Manager Development and Regulatory Services:

- There has been a reduction in overdue assessments.
- The Minister has informed Council and staff of the enactment of the miscellaneous technical code amendment, which results in a series of practical changes for the P&D Code operations. Once staff have had an opportunity to review these modifications, they will be communicated to the Committee.
- There has been a spike in development applications due to a number of Tonsley developments that were lodged a few weeks back (but this is not captured in the graph in the report).
- Many South Australian Councils were sent a letter from the Minister regarding strategic and regional planning.
- Page 31 was noted – Development Compliance matters continue to steadily rise with approximately 30 cases open for investigation currently and only one Compliance Officer to do the work.
  - Development compliance matters can be complexed and can take several weeks to months to resolve.

The Team Leader Planner noted the following points:

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PDC230502 - Planning and Development Committee Meeting - 2 May 2023





- Looking at reviewing aspects of the report's content to make it more comprehensive and informative, in addition to elaborating on the types of planning and building compliance.
- Currently, the majority of presented data is at a relatively high level; consequently, it does not necessarily reflect the scope of activities that the entire team is undertaking, especially Development Compliance matters.
- Miscellaneous Code Amendment has recently been approved by the Minister. The Amendment seeks to make several procedural changes to the Code which should assist staff and the community by making the assessment of more minor forms of development more efficient, such as swimming pools and sheds. Staff will await the final changes however as previous changes have not been as beneficial as originally expected.
  - Depending on when the Amendment comes into effect, staff will hopefully have sufficient data to determine whether the changes did what they were intended to do.

A discussion took place around more meaningful reporting and what data would be useful to have moving forward. The following discussion points were noted:

- Workload data over the calendar years – are we getting busier?
  - Staff advised this can be challenging to quantify through a single graph as every application is represented as a single number; time spent on each application varies in regard to complexity and timeframes.
- The graph on page 25 should be updated to elaborate on the number and types of development forms proposed e.g. how many are single dwellings, multi-story dwellings and how many are swimming pools.
- Consideration should be given to how complex applications are explained through the reporting process – i.e. time, length and complexity.
- List of current major projects e.g. Tonsley, Morphettville. It would be useful to know the current progress of each project – hold points, issues and complexities.
  - Staff advised that the land development projects update is intended to bridge this gap between what may be a standard application assessed by the planning team and those that require more senior staff involvement due to broader community implications.
- The Committee suggested that an additional resource, such as a project officer, graduate, or work-experience student could be an option to help collate this data.

#### **ACTION**

**Staff to review the reporting process and present an updated and more informative report to the next meeting.**

#### **Correspondence from the Minister regarding Council Leadership on Strategic Planning**

The correspondence from the Minister regarding Council Leadership on Strategic Planning was noted by the Committee.



Due to CoM's previous works on a new development plan for the City which was rejected by the State Government, no response will be provided to the Minister's correspondence at this time. The Committee was concerned at the comments in the letter that labelled car parking an entirely council-based issue.

#### Moved Mayor Hanna

#### Seconded Councillor Lama

That the Planning and Development Committee:

1. Notes the report.
2. Notes the correspondence from the Minister for Planning (Attachment 1).

**Carried unanimously**

### 8.2 Land Development Projects Update

**Report Reference** PDC230502R8.2

Report was taken as read and the following discussion points were noted:

- Morphetville Racecourse – Staff recently met with Villawood Properties who have partnered with SAJC for this project.
- Some of the issues discussed included traffic and site stormwater issues.
  - The CoM engineering team has prepared and provided current traffic benchmark data as well as other requested information to Villawood Properties.
  - Timeframe expectations for all parties involved will need to be managed. Regular follow-up meetings to continue.
  - Villawood is aware of Council's concerns regarding previous traffic works done.
- Now that the Magic Millions site is no longer part of the proposal, the site works will reduce from 500 to 200 dwellings (in CoM).
- Commercial and residential buildings up to 8-10 storeys are envisaged in the City of West Torrens component. There is still a lot of work to do in this space.
- Oaklands Green – is progressing well, a lot of work has happened in this locality.
  - The new sales centre has been delivered to 56 Barry's Road.
  - The site appears to be well-managed by crews, and there have been no complaints from surrounding residents.
- Seacliff Village – The Stage 1 Land Division application is likely to be considered by SCAP in the next couple of weeks following negotiation with CoM and City of Holdfast Bay on infrastructure matters and finalising EPA requirements.
- Cove Point – Following a meeting with senior staff, this project was successfully placed on hold (by the applicant) so that the developer and Council can negotiate better infrastructure outcomes.



- Hills Industry (Edwardstown) – The comment in the report “This site is impacted by site works for the N/S Corridor and is currently under review by Council staff and DIT” was queried by Mayor Hanna, ‘had it been the subject of compulsory acquisition by the DIT or not?’
  - It was noted that no confidential comments would be discussed and that the site is available to the Department. Any further clarification is confidential.

#### **Moved Mayor Hanna**

#### **Seconded Councillor Lama**

That the Planning and Development Committee:

1. Notes the report.

**Carried Unanimously**

### **9 Workshop / Presentation Items – Nil**

### **10 Other Business**

#### **10.1 North South Corridor Standing Report**

The North South Corridor standing report is now featuring in the Major Projects report presented monthly at Forums. To avoid duplicate reporting, it was proposed that the standing report be omitted from the PDC and continue to be reported monthly at Forums, effective next meeting.

- The Committee supported the above proposal.

#### **Tram Grade Separation Project**

Mayor Hanna suggested that the Committee be briefed on the proposals for the Tram Line Grade Separation project at the intersection of Marion and Cross Roads.

#### **ACTION**

**The Manager of Development and Regulatory Services to arrange for an external speaker to update the Committee on the Tram Grade Separation Project.**

### **11 Meeting Closure**

The meeting was declared closed at 6:17pm.

CONFIRMED THIS 1 DAY OF AUGUST 2023

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CHAIRPERSON



## 5 Business Arising

### 5.1 Business Arising Statement - Action Items

<b>Report Reference</b>	PDC230801R5.1
<b>Originating Officer</b>	Executive Officer to the General Manager City Development – Mina Caruso
<b>Corporate Manager</b>	Manager Development and Regulatory Services - Warwick Deller-Coombs
<b>General Manager</b>	General Manager City Development – Tony Lines

### REPORT OBJECTIVE

The purpose of this report is to review the business arising from previous meetings of the Planning and Development Committee meetings, the meeting schedule and upcoming items.

### RECOMMENDATION

**That the Planning and Development Committee:**

- 1. Notes the business arising statement, meeting schedule and upcoming items.**

### ATTACHMENTS

1. PDC230801 - Business Arising as at 02 May 2023 [**5.1.1** - 2 pages]
2. PDC230801 - Schedule of Upcoming Items 2023 [**5.1.2** - 2 pages]

**CITY OF MARION**  
**BUSINESS ARISING PLANNING & DEVELOPMENT COMMITTEE MEETINGS**

**AS AT 01 AUGUST 2023**



Meeting Date	Document	Item No.	Item	Action Required	Assignee/s	Action Taken	Due Date	Status
5/10/2021	PDC211005 – Planning and Development Committee 5 October 2021 <i>* Confidential</i>	9.1	<b>Confidential Item</b> - Lot 707 Marion Road, Bedford Park		W Deller-Coombs	<i>Confidential</i> – Update provided in PDC220705F6.1	31 December 2023	In Progress
6/09/2022	PDC220906 – Planning and Development Committee 6 September 2022	7.1	Southern Suburbs Residential Code Amendment	2. Recommends that Council endorses the amendments to the Planning and Design Code proposed within the 'Southern Suburbs Residential Policy - Code Amendment as being appropriate for community consultation.	W Deller-Coombs	SEPTEMBER 22 – Report to go to Council once elections completed and new Council is formed - December 2022 or early 2023.  DECEMBER 22 – Report to go back to PDC 7 March 2023 to allow new members to gain a fuller understanding of the proposed changes.  MARCH 23 – Tentatively scheduled for GC230627 – pending recruitment for Development Specialist role.  MAY 23 – Report has been brought forward to go to GC230523 meeting.  JUNE 23 – Community Engagement Plan endorsed by Council at GC230523.	27 June 2023	Completed
				3. Recommends that Council endorses the Community Engagement Plan/process.	W Deller-Coombs	SEPTEMBER 22 – Report to go to Council once elections completed and new Council is formed - Dec 2022 or early 2023.  FEBRUARY 23 – Report went to 13 December 2022 GC, where Council recommended that the matter go back to 7 March 2023 PDC to allow the details of the proposal to be fully explained to Council Members (particularly the new Members who have not had much exposure to the proposal).  MARCH 23 – Tentatively scheduled for GC230627 – pending recruitment for Development Specialist role.  MAY 23 – Report has been brought forward to go to GC230523 meeting.  JUNE 23 – Community Engagement Plan endorsed by Council at GC230523.	27 June 2023	Completed

**CITY OF MARION  
BUSINESS ARISING PLANNING & DEVELOPMENT COMMITTEE MEETINGS**

**AS AT 01 AUGUST 2023**



Meeting Date	Document	Item No.	Item	Action Required	Assignee/s	Action Taken	Due Date	Status
7/3/2023	PDC230307 – Planning and Development Committee 3 March 2023	7.2	Code Amendments Update	Staff to send a simple letter to gauge whether the community is willing to support the amendment moving forward.	W Deller-Coombs	APRIL 23 – Letter has been drafted and should be sent by the end of April 2023.  MAY 23 – Feedback is being complied, closing date for community feedback is Monday 15 May.  JUNE 23 – Letter was sent to residents at the end of April. Results have been compiled and are covered in a separate action. See below PDC2305027.1	31 July 2023	Completed
2/5/2023	PDC230502 – Planning and Development Committee 2 May 2023	7.1	Code Amendments Update	Upon receipt of the complete set of results, an email outlining the complete results will be sent to the Committee prior to the next meeting in order to assist the Committee's decision regarding whether to proceed with the code amendment.	W Deller-Coombs	MAY 23 – Staff to review results at the beginning of June, correspondence will be sent out to Committee members after staff review.  JUNE 23 – Results have been reviewed; email has been drafted. Email expected to be sent to members before the end of June 2023. Email sent to PDC and Ward Members with prelim results summary on Monday 26 June 2023.	30 June 2023	Completed
2/5/2023	PDC230502 – Planning and Development Committee 2 May 2023	8.1	Development Services Activities Update	Staff to review the reporting process and present an updated and more informative report to the next meeting.	W Deller-Coombs / A Wright	MAY 23 – Meeting scheduled for staff to discuss in more details – 26 May 2023.  JUNE 23 – Draft of the amended report being compiled by Development Services staff. Due date has been deferred to 23 July 2023 to allow for review any necessary amendments.  JULY 23 – The team and Tony Lines have completed a review of the amended report (17/07/23)	31 July 2023	Completed
2/5/2023	PDC230502 – Planning and Development Committee 2 May 2023	10.1	North South Corridor Standing Report	The Manager of Development and Regulatory Services to arrange for an external speaker to update the Committee on the Tram Grade Separation Project.	W Deller-Coombs	JUNE 23 – This has been arranged and confirmed.		Completed

\* Completed items to be removed are shaded

Planning and Development Committee – 2023 Draft schedule of upcoming items

Planning and Development Committee		Date: Tuesday, 07 March	Time: 5.30pm – 7.00pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
Business Arising		Business arising from previous meetings, the meeting schedule, and upcoming items		M Caruso	
Land Developments Update	R	Standing Report		W Deller-Coombs	
Development Services Activities Report Update	R	Standing Report		W Deller-Coombs	
Code Amendments Update	R	Standing Report		W Deller-Coombs	
Southern Suburbs Code Amendment		Deferred from GC 13/12/22		W Deller-Coombs A Wright	

Planning and Development Committee		Date: Tuesday, 2 May	Time: 5.30pm – 7.00pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
Business Arising		Business arising from previous meetings, the meeting schedule, and upcoming items		M Caruso	
Code Amendments Update	R	Standing Report		W Deller-Coombs	
Land Development Projects Update	R	Standing Report		W Deller-Coombs	
Development Services Activities Report Update	R	Standing Report		W Deller-Coombs	

Planning and Development Committee		Date: Tuesday, 1 August	Time: 5.30pm – 7.00pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
Business Arising		Business arising from previous meetings, the meeting schedule, and upcoming items		M Caruso	
Tram Grade Separation Project	P	Presentation / Update from DIT's Project Coordinator	Neil Welsh (30mins)	M Allen	
Code Amendments Update	R	Standing Report		W Deller-Coombs	



## Planning and Development Committee – 2023 Draft schedule of upcoming items

Development Services Activities Report Update	R	Standing Report		A Wright
Land Development Projects Update	R	Standing Report		W Deller-Coombs

Planning and Development Committee		Date: Tuesday, 10 October	Time: 5.30pm – 7.00pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
Business Arising		Business arising from previous meetings, the meeting schedule, and upcoming items		M Caruso	
Code Amendments Update	R	Standing Report		W Deller-Coombs	
Land Development Projects Update	R	Standing Report		W Deller-Coombs	
Development Services Activities Report Update	R	Standing Report		A Wright	
Oaklands Green Development Project	P	Presentation/Update from Developers	TBC	W Deller-Coombs	

Planning and Development Committee		Date: Tuesday, 05 December	Time: 5.30pm - 7:00pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
Business Arising		Business arising from previous meetings, the meeting schedule, and upcoming items		M Caruso	
Code Amendments Update	R	Standing Report		W Deller-Coombs	
Land Development Projects Update	R	Standing Report		W Deller-Coombs	
Development Services Activities Report Update	R	Standing Report		A Wright	
Seacliff Development Project	P	Presentation/Update from Developers	TBC	W Deller-Coombs	

## 6 Workshop / Presentation Items

### 6.1 Cross/Marion Road Tram Upgrade Separation Project Upgrade

<b>Report Reference</b>	PDC230801R6.1
<b>Originating Officer</b>	Manager Engineering, Assets and Environment – Mathew Allen
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	General Manager City Services – Ben Keen

#### REPORT OBJECTIVE

The purpose of this report is to provide a project update for the Tram Grade Separation Project on Marion Road and Cross Road. Neil Welsh (Project Lead) from Department for Infrastructure and Transport (DIT) will provide a presentation to the Committee with an update on the Tram Grade Separation Project.

#### EXECUTIVE SUMMARY

The Department for Infrastructure and Transport has developed a concept design for the Tram Grade Separation at Marion Road and Cross Road. This project will remove existing tram level crossings and construct a new tram overpass at both locations. By constructing new tram overpasses and enhancing access and safety, the project aims to improve the overall transport experience for both residents and commuters.

#### RECOMMENDATION

**That the Planning and Development Committee:**

1. **Notes the presentation.**

#### DISCUSSION

The Department for Infrastructure and Transport has developed a concept design to remove the existing tram level crossing and build a new tram overpass at both Marion Road and Cross Road.

The project will reduce traffic congestion and travel times, particularly in the AM and PM peak periods. This project will have an impact on traffic movements in Plympton Park. The grade separation will improve access and traffic flow on Marion Road and make it more convenient for residents living in Plympton Park to access Marion Road. This in turn will reduce traffic volumes in local streets.

The project aims to improve the connection between the suburbs located either side of the tram line and provide safer and more accessible tram stops with improved pedestrian access.

Community information sessions were held by the Department in early May 2023 for members of the community to provide feedback and speak with the project team. The Department also developed a survey on the Tram Grade Separation key design elements. The information sessions were well attended by members of the community.

Construction is anticipated to commence in the middle of 2024 with an aim to complete all works by the end of 2025.

#### SPEAKERS

Neil Welsh – Project Lead – Department for Infrastructure and Transport

**ATTACHMENTS**

Nil

## 7 Confidential Items

### 7.1 Cover Report - Confidential Business Arising Statement – Action Items

Report Reference	PDC230801F7.1
Originating Officer	Executive Officer to the General Manager City Development – Mina Caruso
Corporate Manager	Manager Development and Regulatory Services – Warwick Deller-Coombs
General Manager	General Manager City Development – Tony Lines

### REASON FOR CONFIDENTIALITY

#### ***Local Government Act (SA) 1999 S 90 (2) 3***

(g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty

(h) legal advice

(m) information relating to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the *Planning, Development and Infrastructure Act 2016* before the draft instrument or amendment is released for public consultation under that Act

### RECOMMENDATION

Pursuant to Section 90(2) and (3) (g)(h) and (m) of the *Local Government Act 1999*, the Committee orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Office of the CEO, Manager Development and Regulatory Services, Team Leader Planning, Senior Urban Planner, Senior Strategic and Policy Planner, Project Support Officer (Development) and Executive Officer to General Manager City Development be excluded from the meeting as the Committee receives and considers information relating to *Confidential Business Arising Statement – Action Items*, upon the basis that the Committee is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to a development application, legal advice, planning policy matters as well as Aboriginal Heritage considerations.

## 8 Reports for Discussion

### 8.1 Code Amendments Update

<b>Report Reference</b>	PDC230801R8.1
<b>Originating Officer</b>	Manager Development and Regulatory Services – Warwick Deller-Coombs
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	General Manager City Development – Tony Lines

### REPORT HISTORY

Report Reference	Report Title
<a href="#">PDC220906R7.1</a>	Code Amendments Update
<a href="#">PDC230307R7.2</a>	Code Amendments Update
<a href="#">PDC230502R7.1</a>	Code Amendments Update

### REPORT OBJECTIVE

To provide Members with an update on recent and active Code Amendments (both Council initiated and privately initiated).

### CURRENT STATUS

#### Council Initiated Code Amendments

#### 1. *Horse Related Activities Code Amendment*

- A second round of informal consultation was completed and results sent to Committee and Ward Members on 26/6/23. Refer summary map in Attachment 1.
- Based on the overall feedback, it is recommended to proceed with the Amendment.
- Report with Draft Amendment to be presented to General Council 22 August 2023 meeting.

#### 2. *Southern Suburbs Residential Policy Code Amendment*

- Council approved the Amendment for consultation on 23 May 2023.
- Staff have been working with Comms and Engagement teams to prepare the necessary information.
- The new Senior Strategic and Policy Planner commenced on 17 July 2023 and will now work with Manager DRS and Ward Members to finalise the engagement materials.
- Pending approval by PLUS, consultation will commence on 14 August 2023.
- A meeting is being scheduled with Ward Members prior to finalisation of the engagement material.

#### 3. *Centre Zones Code Amendment*

- Report with Draft Amendment to be presented to General Council 22 August 2023 meeting.

#### 4. *Marion Road Code Amendment*

- This Amendment is on hold.
- The new Senior Strategic and Policy Planner will review this to determine next steps and

present at the October 2023 PDC meeting.

### **Privately Initiated Code Amendments**

#### ***Lots 51 and 52 Morphet Road Glengowrie (SAJC)***

- SAJC is seeking to rezone land (west of Morphetville Racecourse) from Recreation Zone to Urban Neighbourhood Zone.
- The rezoning of the land is envisaged to accommodate medium scale/medium to high density residential led mixed use development.
- SAJC presented to Council on 31 January 2023 and several issues were discussed including height of proposed buildings and traffic and access considerations.
- Community Consultation concluded 26 March 2023.
- The Amendment has completed engagement and is with the Minister for Planning for a decision.

#### ***Bedford Park (Lot 707) (Bunnings Properties Pty Ltd)***

- The Minister approved a proposal to initiate an amendment to rezone a part of Lot 707 from Urban Neighbourhood Zone to an Employment Zone.
- The overall intent of the amendment is to enable the further development of large format employment generating uses such as bulky goods outlets and service trades premises.
- Investigations on key issues are still being undertaken.
- Council has strongly advocated for a site-wide stormwater solution that would require cooperation and agreement from the Elders Village site.
- Staff are currently facilitating discussion between site owners.
- A request has been made to Bunnings to facilitate the restriction of uses on the site (e.g. to exclude the future use of the site for a retail fuel outlet). This has been agreed to in principle and the details of the legal mechanism to facilitate this will now be worked out.

### **RECOMMENDATION**

**That the Planning and Development Committee:**

- 1. Notes the report.**
- 2. Notes the intended progression of the Horse Related Activities Code Amendment and Centre Zones Code Amendment to the GC Meeting on 22 August 2023.**

### **ATTACHMENTS**

- 1. Attachment 1 - Community Engagement 2023 - Response Map and Summary [8.1.1 - 1 page]**



As of 26/06/2023

## 9 Reports for Noting

### 9.1 Development Services Activities Update

<b>Report Reference</b>	PDC230801R9.1
<b>Originating Officer</b>	Team Leader - Planning – Alex Wright
<b>Corporate Manager</b>	Manager Development and Regulatory Services – Warwick Deller-Coombs
<b>General Manager</b>	General Manager City Development – Tony Lines

### REPORT HISTORY

<b>Report Reference</b>	<b>Report Title</b>
<a href="#">PDC220906R8.1</a>	Development Services Activities Update
<a href="#">PDC230307R8.1</a>	Development Services Activities Update
<a href="#">PDC230502R8.1</a>	Development Services Activities Update

### REPORT OBJECTIVE

To provide the Planning and Development Committee with an overview of the status of the planning system from a performance, planning, building and compliance perspective. The Planning and Design Code (the Code) commenced on 19 March 2021 and is now the legislated rule book for processing and assessing development applications.

### RECOMMENDATION

**That the Planning and Development Committee:**

- 1. Notes the report.**

### DISCUSSION

#### 1. Update on Legislation, Code and Systems

##### 1.1 Legislation

Nil legislation update. However, staff are due to meet with the State Government to discuss the (soon to be released) discussion paper on the 30-Year Plan for Greater Adelaide on 24 July 2023. It is anticipated the general direction of the 30YP will be unveiled.

##### 1.2 Planning & Design Code

The Planning & Design Code was updated on 2 June 2023 by the Miscellaneous Technical Enhancement Code Amendment. This amendment was initiated by the State Planning Commission and is primarily focused on addressing technical and operational elements within the Code, rather than changing policy intent or outcomes.

The Code update changes how some development applications are assessed and processed, with the biggest change being most forms of ancillary development (i.e. sheds, carports etc) are now excluded from public notification in most zones. Previously, these structures were subject to public notification if proposed boundary length and/or height dimensions exceeded the suggested Zone guidelines.

The attached 'Miscellaneous Technical Enhancement Code Amendment Elected Member Factsheet' provides further information on the changes.



### 1.3 E-planning

Planning and Land Use Services (PLUS) continues to make updates and enhancements to the ePlanning Portal to improve workflow efficiencies, user interface, and resolve ongoing system errors. Regular reports providing the status of completed, in progress and planned improvements can be found on the [PlanSA system enhancements page](#).

The reporting available to staff through the portal is continuing to be updated and future enhancements are in progress. Staff continue to participate in workgroups coordinated by PlanSA discussing and testing reporting and system improvements, with the current focus being on Essential Safety Provisions documentation and Building Notifications reporting.

A 'beta' version of an updated dashboard for the portal is currently in a testing mode and provides improved reporting and workload monitoring abilities for staff. It is expected that PlanSA will implement the updated dashboard soon, subject to review of feedback.

## 2. Development Services Overview

### 2.1 Total Development Applications

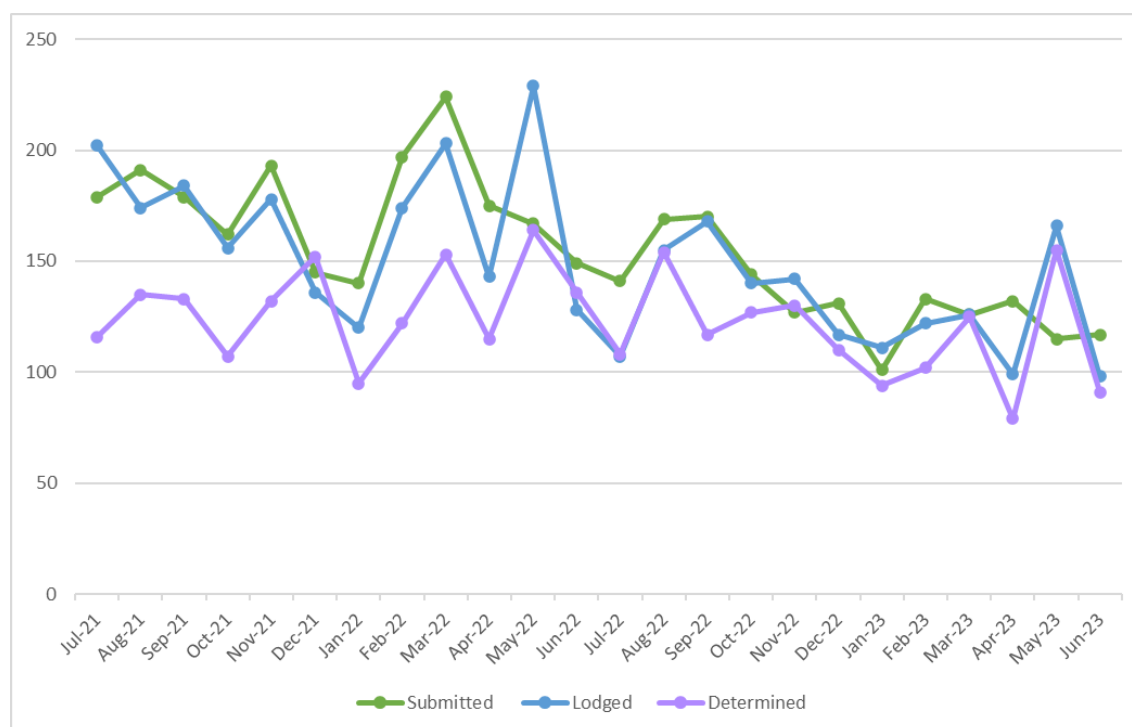
Figure 1 depicts the current trends, illustrating the number of applications submitted, lodged, and determined each month over a two-year period.

**Submitted:** When a user clicks on Submit for a new application, the application becomes submitted and receives a submitted date.

**Lodged:** The lodgement date of an application is recorded on the day that fees have been paid, for the fees raised during verification of the first consent.

**Determined:** Decision granted/refused by the relevant authority.

**Figure 1 – Number of applications submitted, lodged and determined over a two-year period.**



**Comment:** Application submissions increased in April, with higher corresponding lodgement and determinations in May. Factors for these increases include the provision of two Tonsley Residential Development stages (approximately 48 applications) and predominately full planning resourcing during May (following on from April school holidays).

It is expected that several major projects will contribute to an increase in applications this year.

## 2.2 Customer Interactions

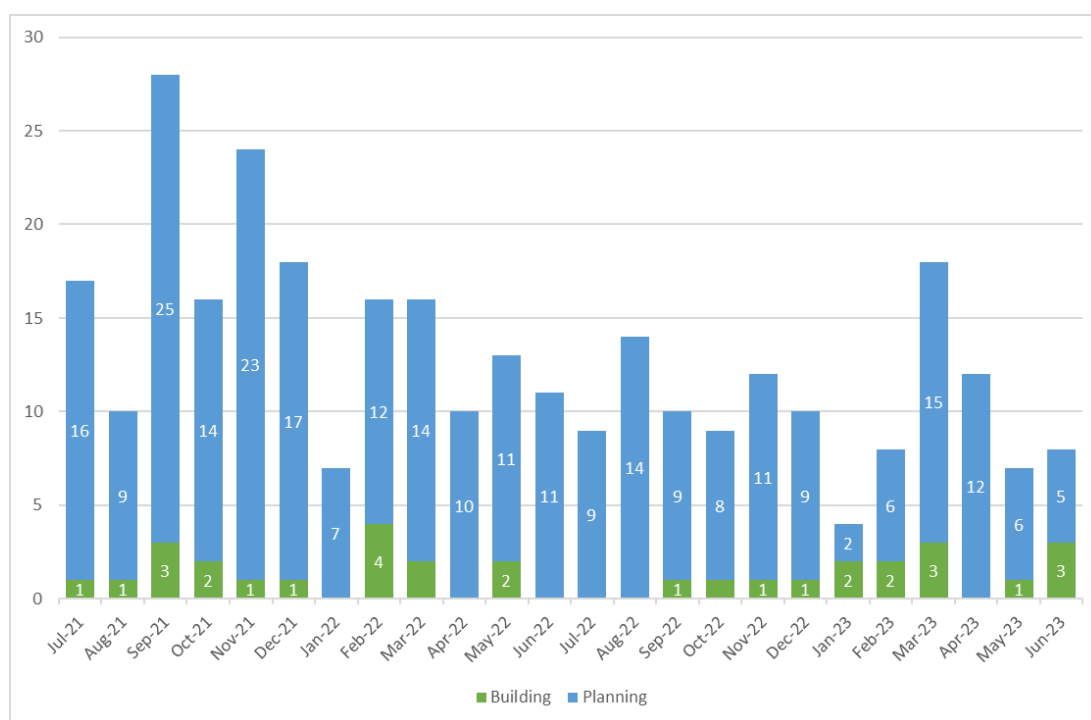
Development advice is provided to customers via phone, email and in person at the Administration Centre. Rostered Duty Planner and Duty Building Officers are available to answer preliminary and general enquiries during Administration Centre opening hours.

The Development Administration team is also available to answer general questions, lodgements, and copies of plans enquiries, communication is made via phone, email, and MS teams chat directly with the Customer Service team. Bookings are not taken for Administration team enquiries.

Development Services offers a booking service for consultations with a duty planning or building officer, generally 15 minutes in length. Below is how many consultations have been booked in advance with a planning or building officer each month.

Face to face consultations relates to specific 'customer bookings' whereby the customer has a set appointment with a planning or building officer, and this meeting has occurred. This is managed through the Development Services bookings system. Staff have taken a proactive approach and typically contact the customer beforehand to seek further information; anecdotally approximately 70-80% of booked appointments are resolved prior via phone or email.

**Figure 2 - Number of scheduled face to face consultations.**

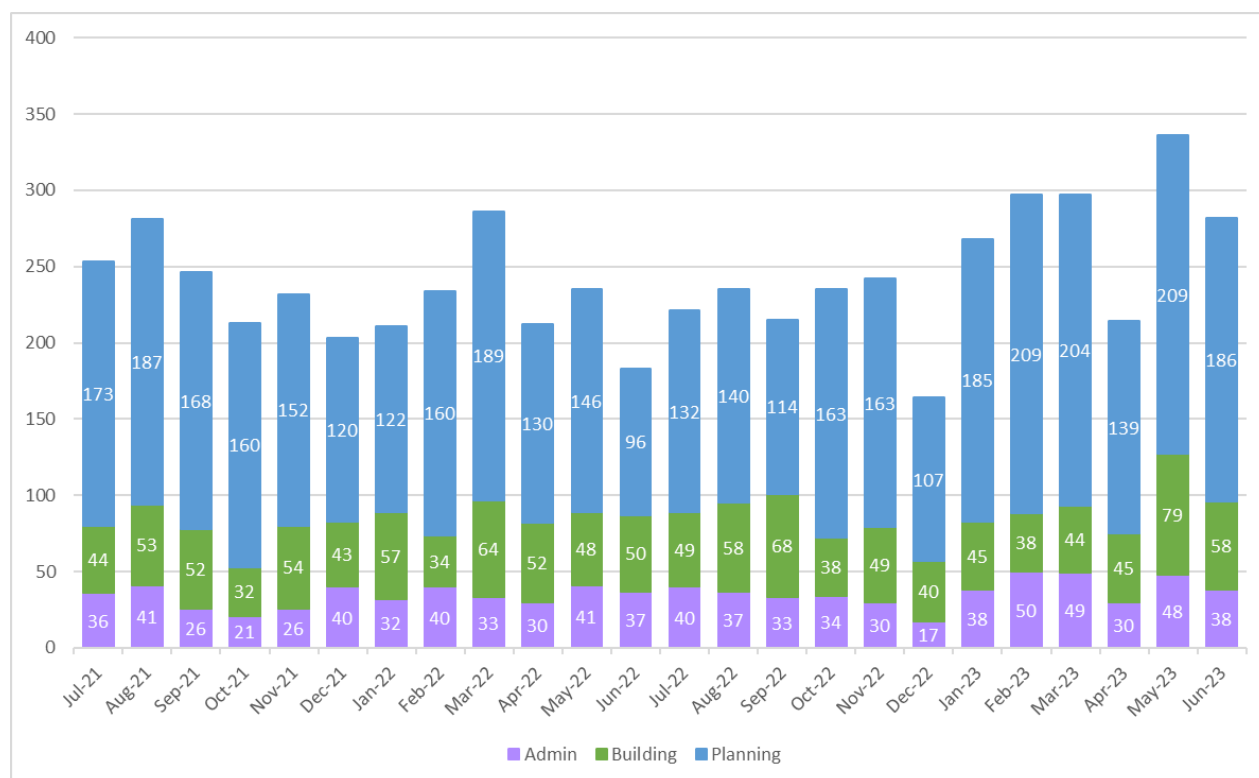


Source: Development Services Bookings Calendar

Note: This data does not include data on 'walk in' consultations, appointments made directly with individual officers or counter queries answered by the administration team.

Figure 3 illustrates the number of requests received each month via the Customer Relationship Management System (CRM), separated by the team responsible for responding to the customer.

**Figure 3 – Number of customer requests received.**



Source: Salesforce

Note: This data does not include ad-hoc enquiries, calls answered at the time of first contact with Development Services or queries answered by the Customer Service Centre Team.

**Comment:** The number of customer interactions remains high. It should be noted, whilst a number of events would be simple and require the provision of limited information, others may require considerable time resources and provisions of detailed and comprehensive information. Face to face consultations increased dramatically in March and April, before returning to typical trends.

The department is investigating ways to record data not captured in Salesforce or the Development Services Booking Calendar. This includes calls that are resolved at customer first contact, which are not captured in Salesforce, and walk-in consultations including the length of time spent on these enquiries.

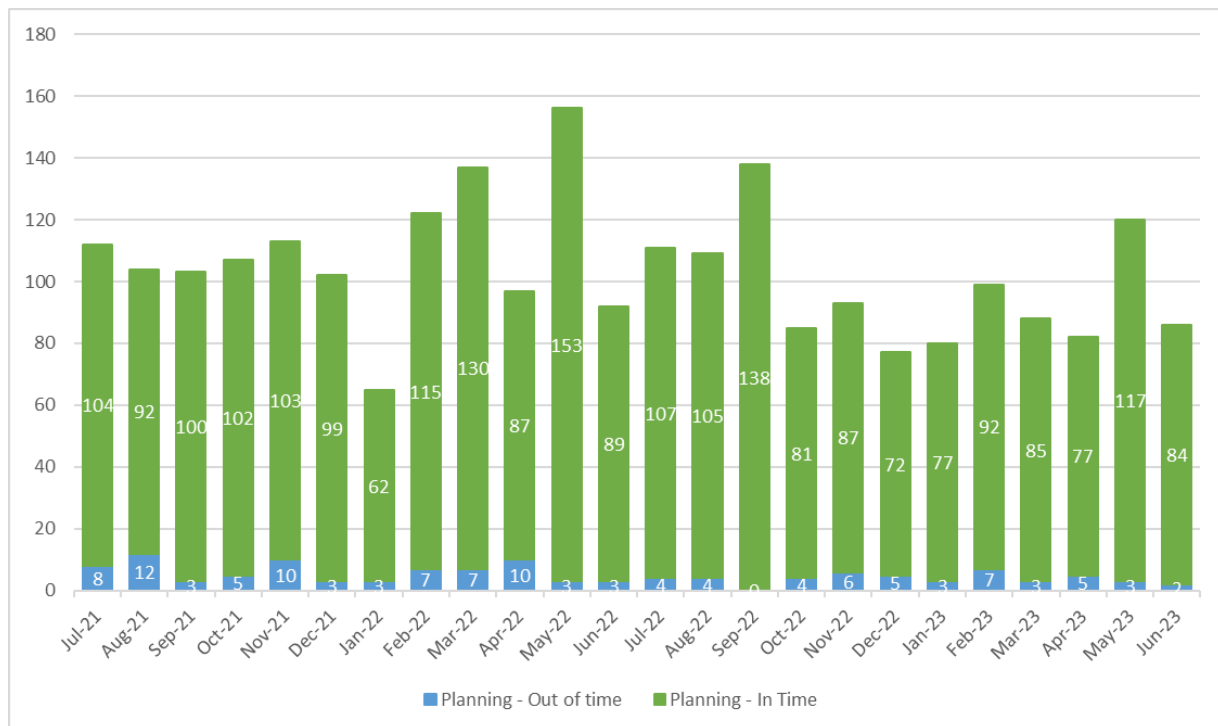
### 3. Planning Update

#### 3.1 Verification of Planning Consent

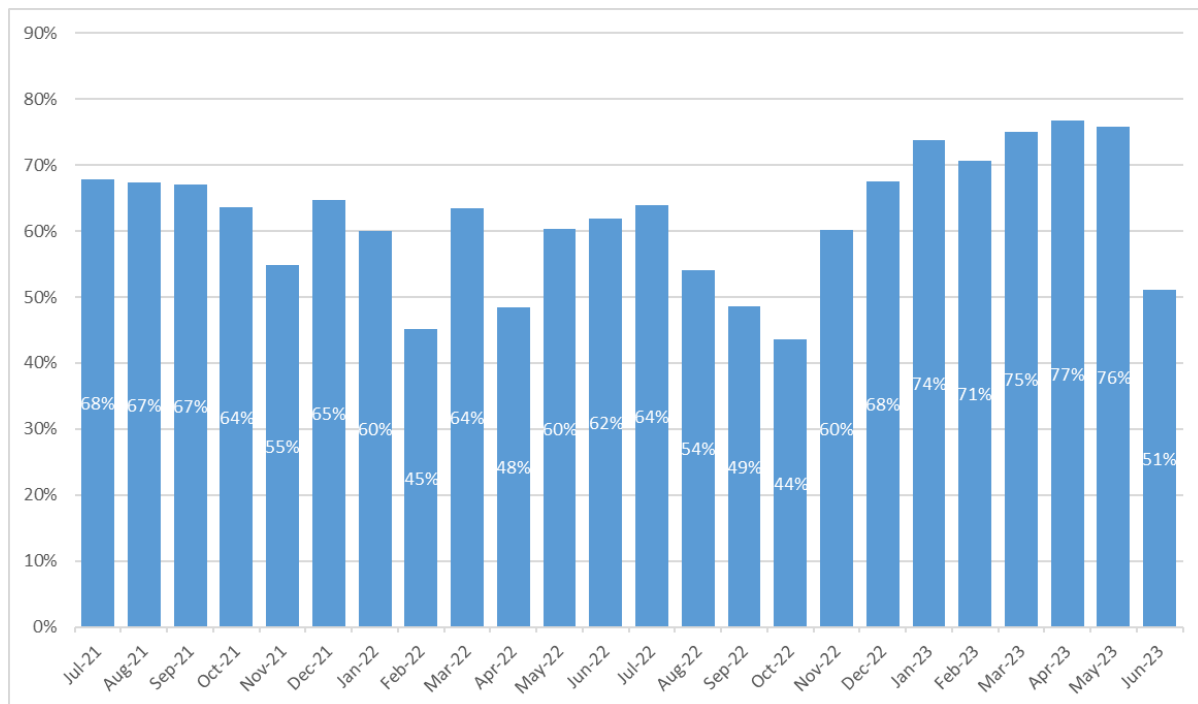
The verification process, broadly, requires the assessing officer to determine if all mandatory information has been received and undertake an assessment to determine the correct Relevant Authority (i.e. Panel or Assessment Manager) and assessment pathway (whether the proposal is Deemed-to-Satisfy or Performance Assessed, are referrals required, is Public Notification required etc).

Figure 4 and 5 illustrate the total number of development applications verified each month and the percentage of these that required further documentation at verification.

**Figure 4 - Verification of deemed to satisfy and performance assessed consents.**



**Figure 5 - Percentage of deemed to satisfy and performance assessed consents requiring additional documentation at verification.**



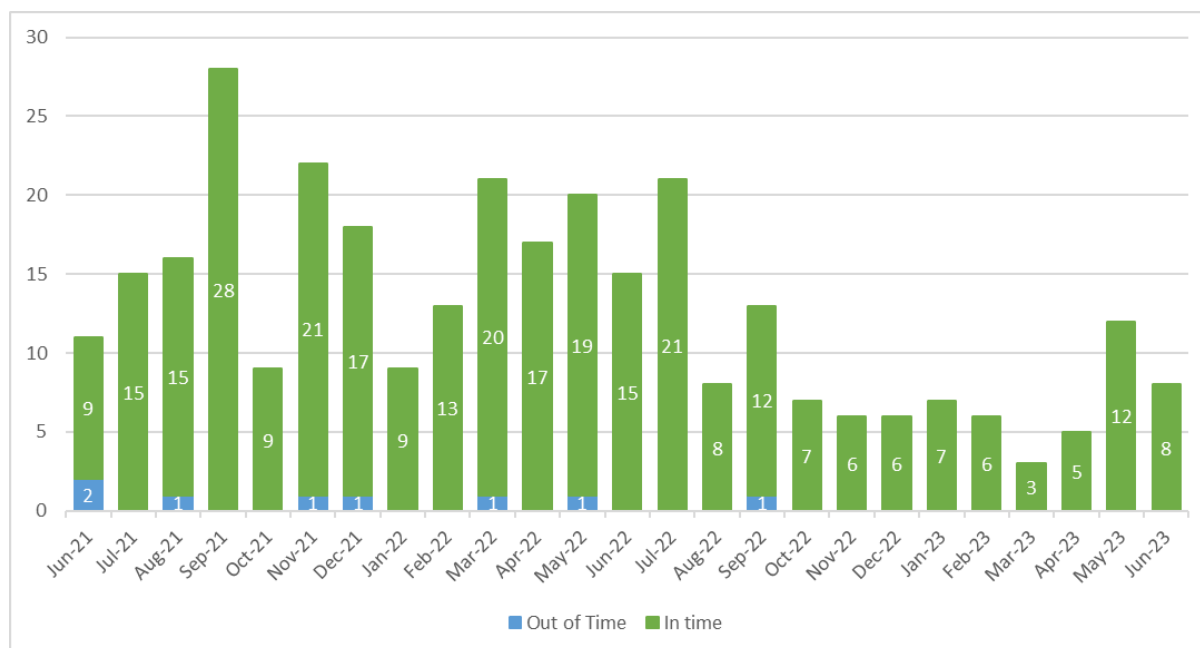
**Comment:** The number of applications requiring verification remains consistent. Of note is that for January-May approximately 75% of applications required additional documentation be provided to satisfy the mandatory requirements. It is noted that payment of fees only occurs after verification

has been finalised, illustrating the high volume of work being undertaken prior to the 'formal' assessment process.

### 3.2 Planning Consents

Figure 6 illustrates the number of Deemed-to-Satisfy development applications determined by planning staff each month. DTS applications must be determined within 5 business days.

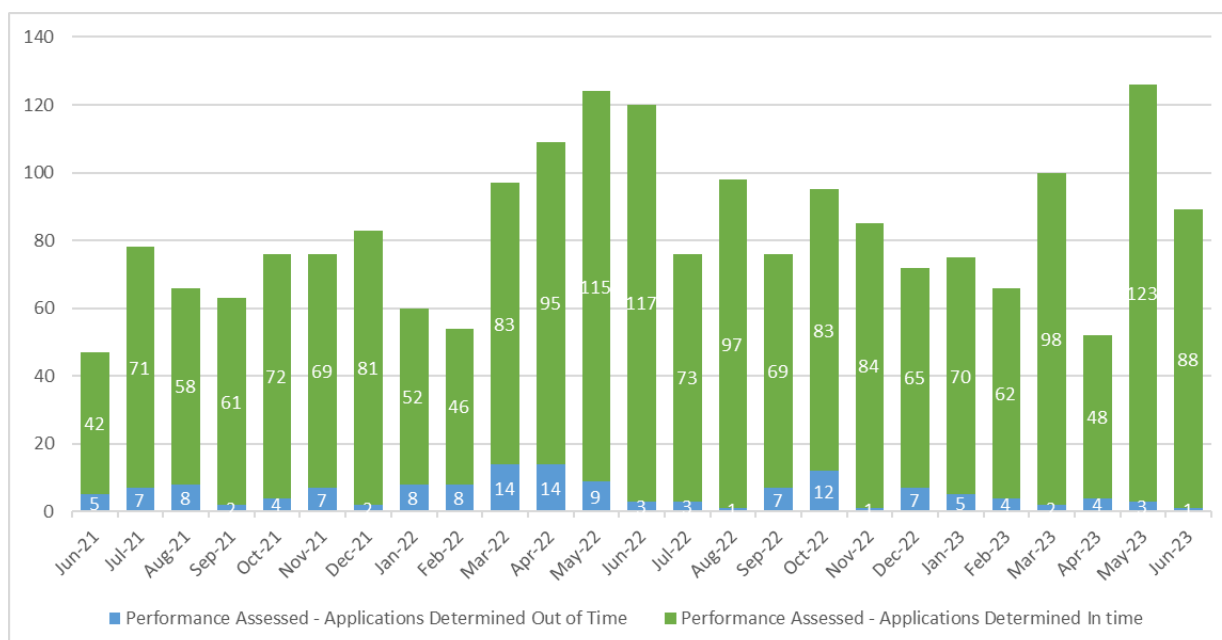
**Figure 6 - Applications determined in/out of time – Deemed-to-Satisfy (DTS)**



**Deemed to Satisfy:** Five business day are provided for the 'Tick & flick' planning assessment.

Figure 7 illustrates the number of Performance Assessed development applications determined by planning staff each month.

Performance Assessed applications include proposals that have undergone Public Notification or external agency referral. The types of applicants range from minor DA's (i.e. carports/sheds) through to large scale commercial and residential DA's (i.e. large land divisions, medical centres, apartment buildings etc). Assessment timeframes range from 20 business days through to 70 business days.

**Figure 7 - Applications determined in/out of time – Performance Assessed**


**Performance Assessed:** Twenty business days are provided for the assessment against the Code's Desired and Performance Outcomes (additional time is provided for applications requiring Public Notification or proposing land division).

Figure 8 provides a comparison between the percentage of City of Marion applications determined within the applicable time frames and that of all South Australian Councils.

**Figure 8 – Percentage of applications determined in/out of time – CoM and All SA Councils**

	Deemed to Satisfy	Performance Assessed
<b>2021/22</b>		
City of Marion	98%	90%
All SA Councils	91%	89%
<b>2022/23</b>		
City of Marion	99%	94%
All SA Councils*	TBA	TBA

\*2022/23 All SA Councils report not yet released; figures will be updated when available.

**Comment:** The number of applications determined 'out of time' continue to be low, with many within 1-2 days of the due date and having had required internal review by another officer prior to a decision being issued. 126 applications were determined in May, the highest in the previous 24 months, which can be attributed to a full complement of planning staff and the overall increase in lodgements for the March-May period.

The data illustrates an increase in applications being processed within statutory timeframes, both year on year and above the average of all Councils. Applications determined out of time can be attributed to individual planner workloads, waiting for the internal review process to conclude and issues with the portal (which are being investigated by PlanSA).

### Deemed Consents

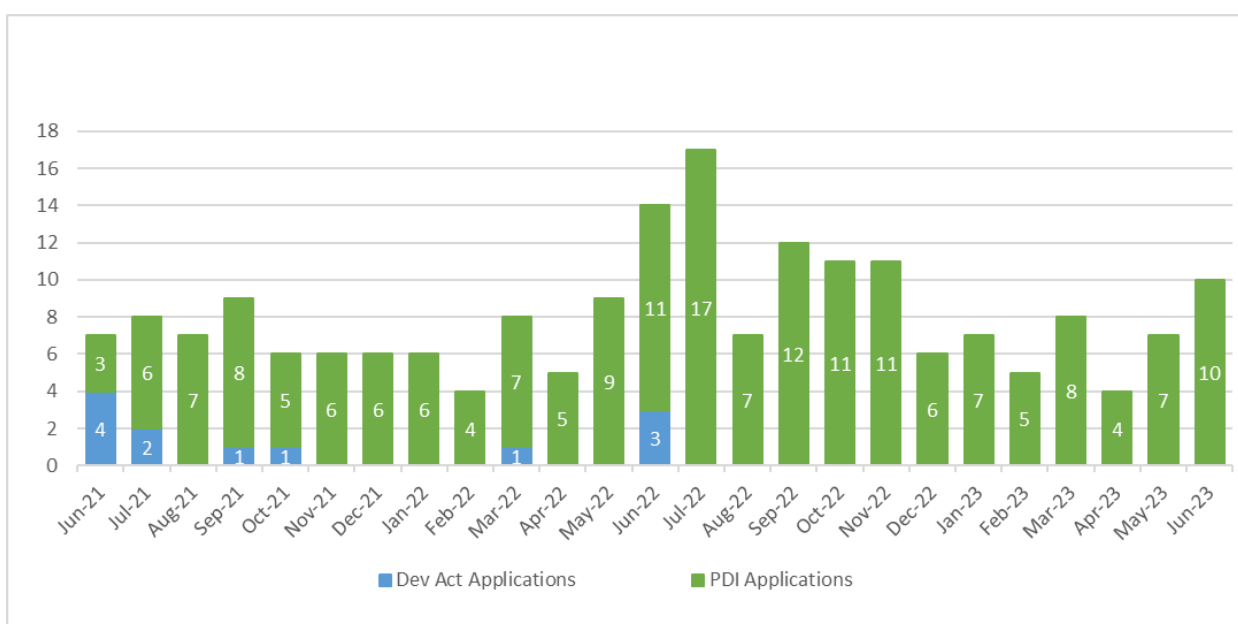
To date, Council has received 1 Deemed Consent Notice (December 2022), which has since been superseded by Council's approval and relevant planning conditions.

Planning application timeframes are monitored by the Executive Leadership Team through the Corporate KPI – Performance Organisational Review process.

### 3.3 Public Notification

Figure 9 illustrates the total number of applications placed on Public Notification in the respective month. The notification process involves the assessing officer and administration staff preparing the correct information, generating the sign and letters and undertaking required Portal work. This work is split between the Planning and Administration teams.

**Figure 9 – Number of applications requiring public notification.**



15 business days for public notification and 15 business days for applicant response.

**Comment:** The number of applications placed on notification, collectively, during April-June, whilst higher than January-March, remains on par with typical trends.

### 3.4 Council Assessment Panel (CAP) Reports and Operations

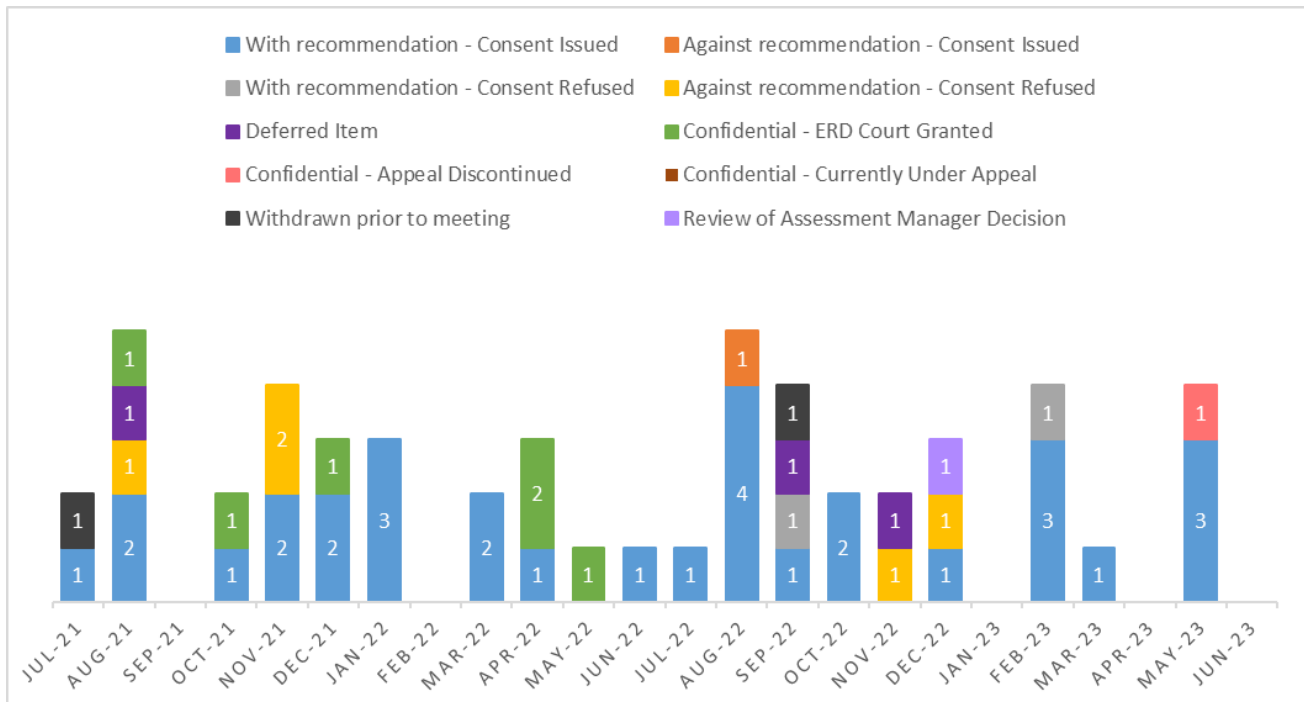
Figure 10 provides an outline on annual CAP operations, including the number of meetings held, applications considered, and applicants and representors heard.

**Figure 10 – Number CAP Meetings held, applications heard and attendance.**

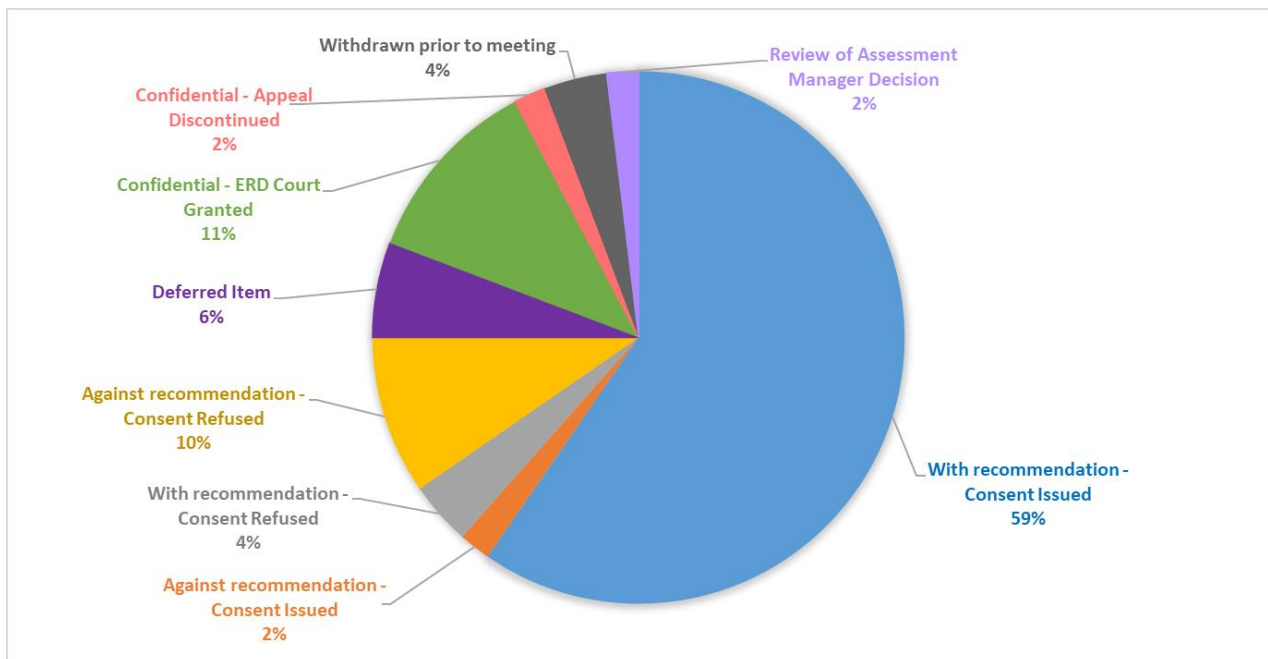
	Meetings Held	PDI Applications	Dev Act Applications	Applicants Heard	Representors Heard
<b>2021</b>	11	7	21	17	19
<b>2022</b>	11	21	5	18	15
<b>2023 (to date)</b>	6	9	1	10	8

Figures 11 and 12 illustrate decisions made by the Council Assessment Panel and whether the decision was with or against the staff recommendation, deferred, withdrawn prior to meeting and if the item was confidential. Figure 12 shows this as a percentage of the total over a two-year period.

**Figure 11 – Council Assessment Panel Decisions**



**Figure 12 – Council Assessment Panel Decisions (Percentage) – July 2021 to June 2023**



**Comment:** The April and June meetings were cancelled due to a lack of items; however, four items were considered in the May meeting. Most applications were determined in line with staff recommendations.



### 3.5 Appeals

#### Environmental, Resources and Development (ERD) Court

**Figure 13 – Environmental, Resources and Development (ERD) Court appeals**

Address	Appeal Lodged	Delegated or CAP Decision	Current Status
216 Seacombe Road, Seaview Downs	20 February 2023	CAP Decision to Refuse	<i>Ongoing Appeal</i> Appeal adjourned to allow applicant time to consider an amended scheme.
1 Wattle Terrace, Plympton Park	4 November 2022	CAP Decision to Refuse	<i>Appeal Withdrawn</i>

#### Assessment Manager

The Council Assessment Panel processed its first review of an Assessment Manager decision in December 2022. The relevant application proposed a 1-into-2 land division with retention of (and alterations to) an existing dwelling in Hallett Cove and was refused by staff under delegation from the Assessment Manager. The Council Assessment Panel affirmed the decision of the Assessment Manager with the same reasons for refusal.

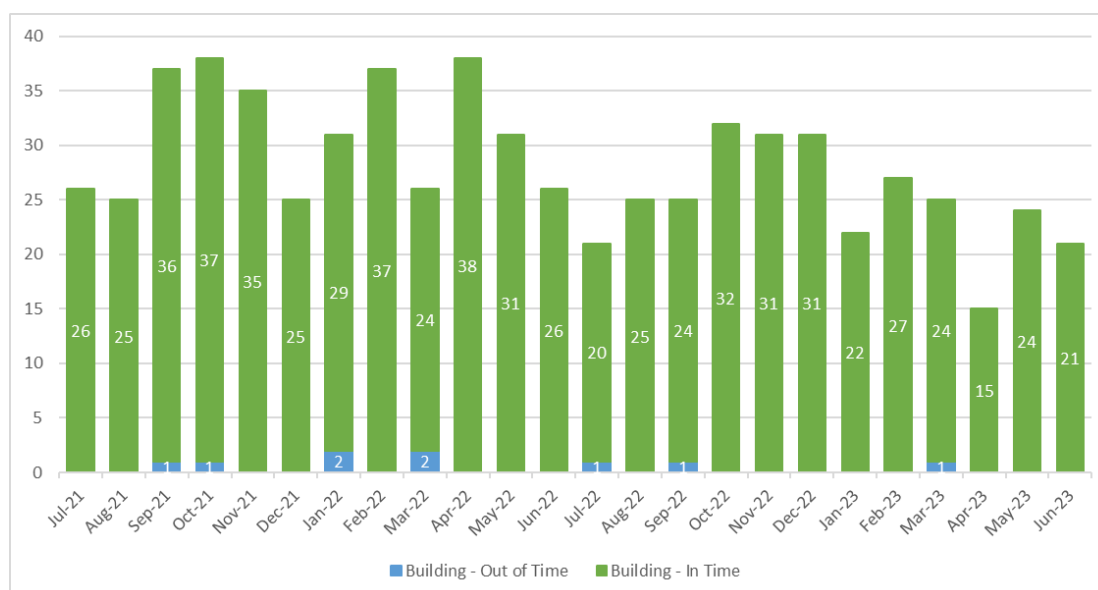
*Note: For planning consent applications where the Assessment Manager is the relevant authority, the PDI Act introduces a new means of appeal for applicants as an alternative to appealing to the ERD Court. Applicants may seek a review of a prescribed decision of the Assessment Manager by the Council Assessment Panel. The CAP has adopted a [Review of Decision of Assessment Manager Policy](#) to guide this process.*

## 4. Building Update

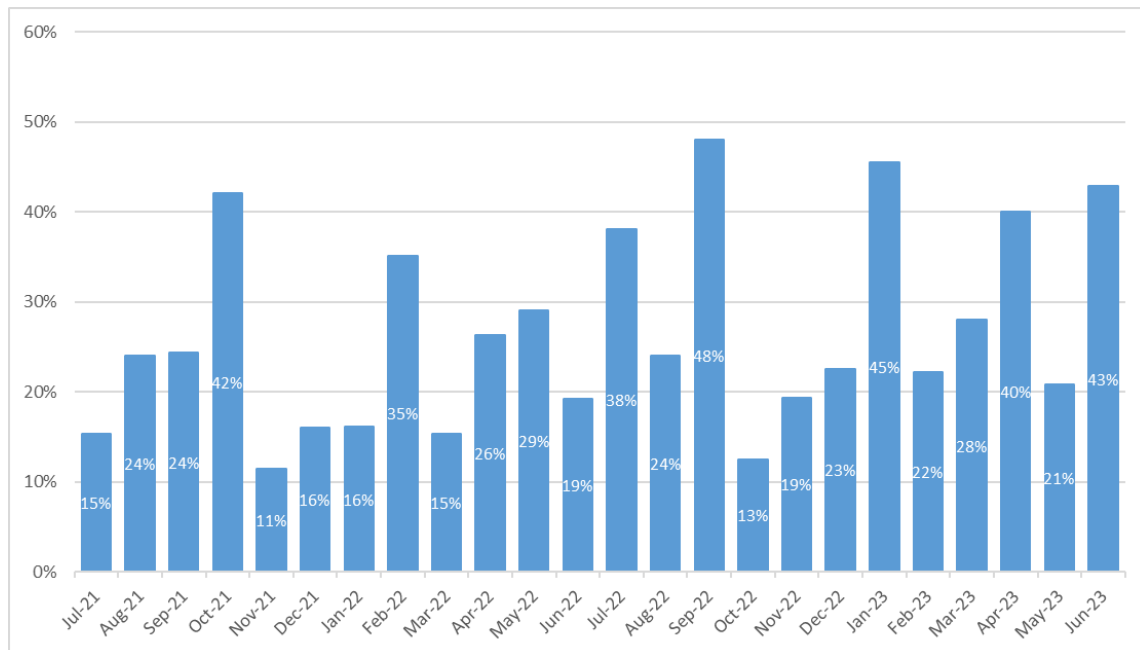
### 4.1 Verification of Building Consent

Figure 14 illustrates the total number of building consent applications verified each month by council building staff. The verification process, broadly, requires the assessing officer to determine if all mandatory information has been received and undertake an assessment.

**Figure 14 – Verification of building consents undertaken by council staff.**



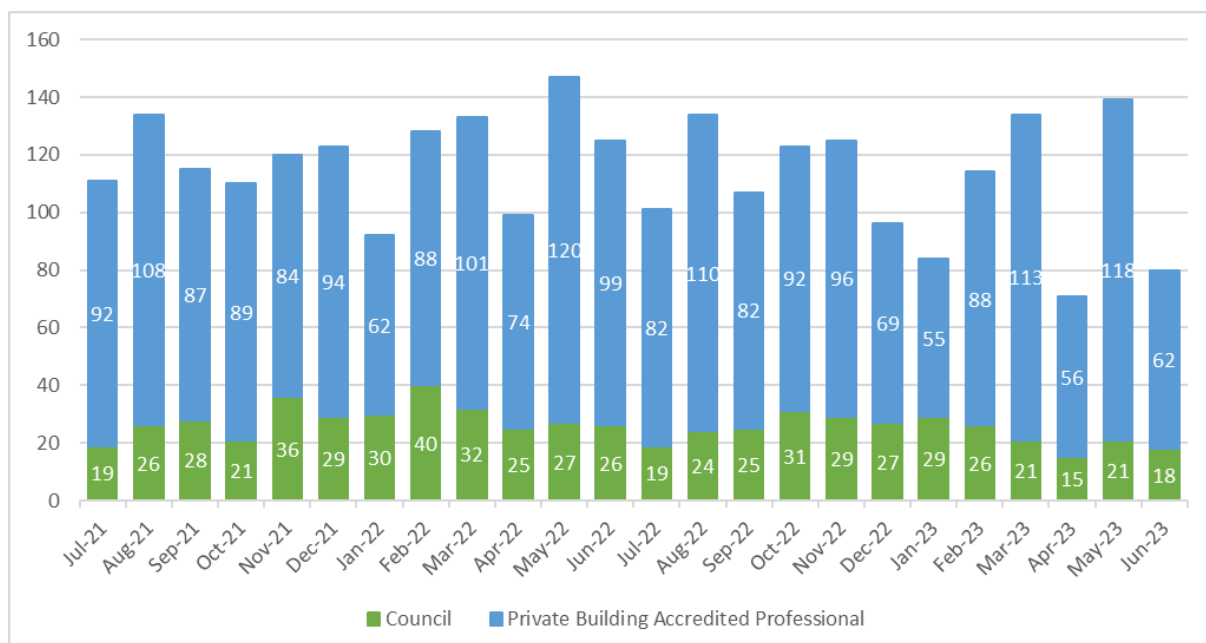
**Figure 15 – Percentage of building consents requiring additional documentation at verification.**



## 4.2 Building Consents

Figure 16 illustrates the number of building consents determined by council building staff and private building accredited professionals each month.

**Figure 16 – Building consents issued – Council and Private Building Accredited Professional**



**Note:** Building Rules Consents are assessed by Council or private assessors known as Private Certifiers, these privately certified assessments still need to be registered, checked and Development Approval issued by Council.

**Comment:** Building consents determined by Council officers has dropped in the last quarter compared with the Jan-Mar quarter. If it is to follow the usual trend we can expect to see it gradually increase potentially peaking around October/November.

### 4.3 Building Inspections

Builders must notify Council when a site is ready for inspection, at various stages throughout construction such as commencement, footings, framing, fire safety, completion. Council can inspect a site at any stage and may inspect sites multiple times/stages. Sites containing multiple dwellings may also see staff undertake multiple inspections on one site. Non-compliant sites can be re-inspected multiple times.

The main issues encountered with non-compliant sites includes:

- Builders not undertaking construction to the approved plan
- Minor structural deficiencies
- Fire wall deficiencies
- Storm water connection
- Inadequate documentation
- Pool barrier safety upon installation of child-safety barriers
- Essential safety provisions documentation for commercial and industrial buildings
- Statement of compliance documentation for all classes of building work

Council is required to inspect:

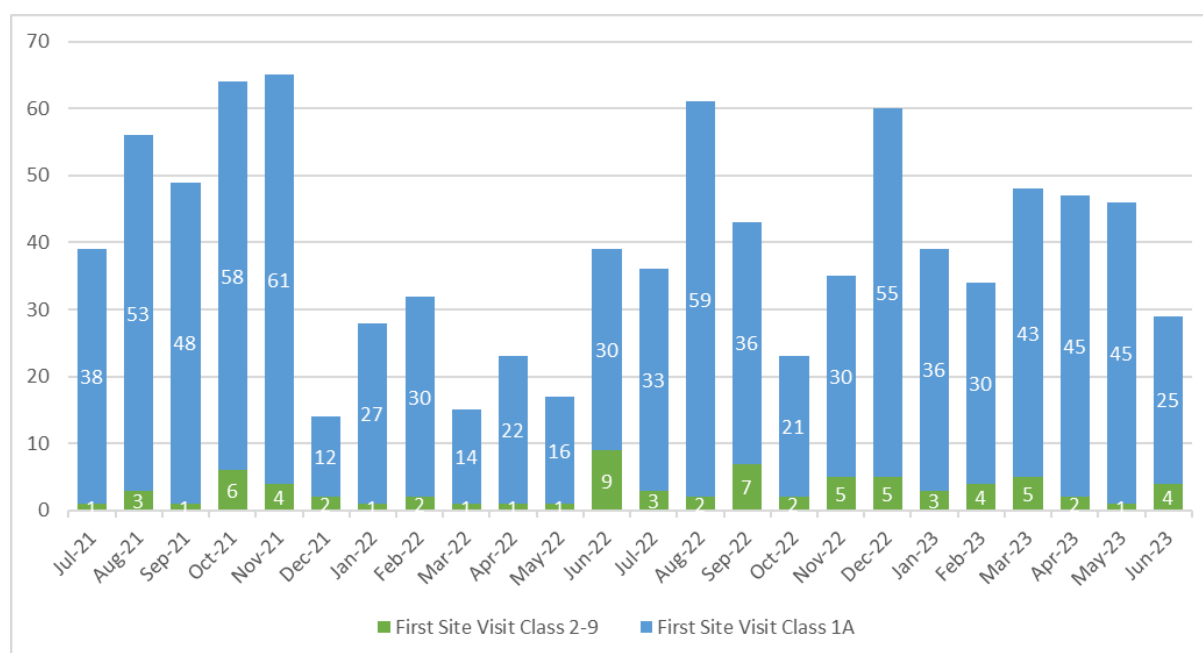
- Minimum 66% building class 1, at least once
- Minimum 90% building classes 2-9, at least once
- 100% swimming pools and pool fences, at completion

Figure 17 illustrates the number of new sites inspected by council building staff each month, split by building class.

**Class 1A:** Residential Development – Dwellings, Dwellings Additions, Boarding Houses

**Class 2-9:** Commercial, Industrial, Public Buildings, Schools, Retail, Hotels and Offices

**Figure 17 – Number of new sites inspected.**

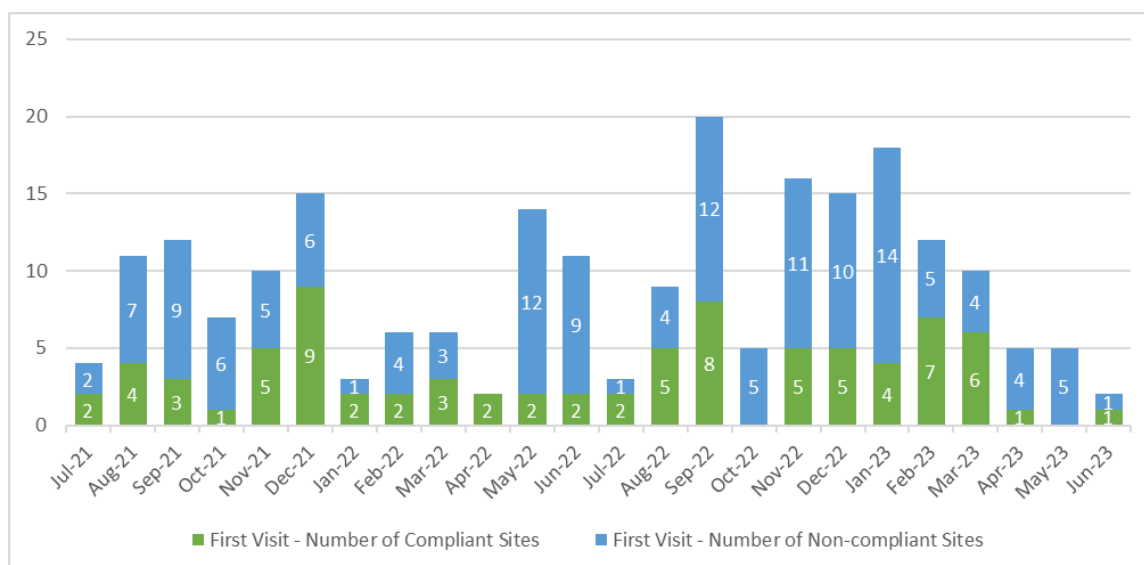


**Note:** New sites inspected does not include follow up or additional inspections made by staff and does not consider whether a site contains multiple buildings requiring inspection.

**Comment:** The number of new site visits undertaken was stable from March through to May, with the number dropping in June. This is attributed to an increase in compliance matters which required prioritisation.

Figure 18 illustrates the compliance of newly constructed swimming pools upon first inspection. Non-compliant sites are scheduled for further inspection(s). The follow up inspections are included in Figure 19.

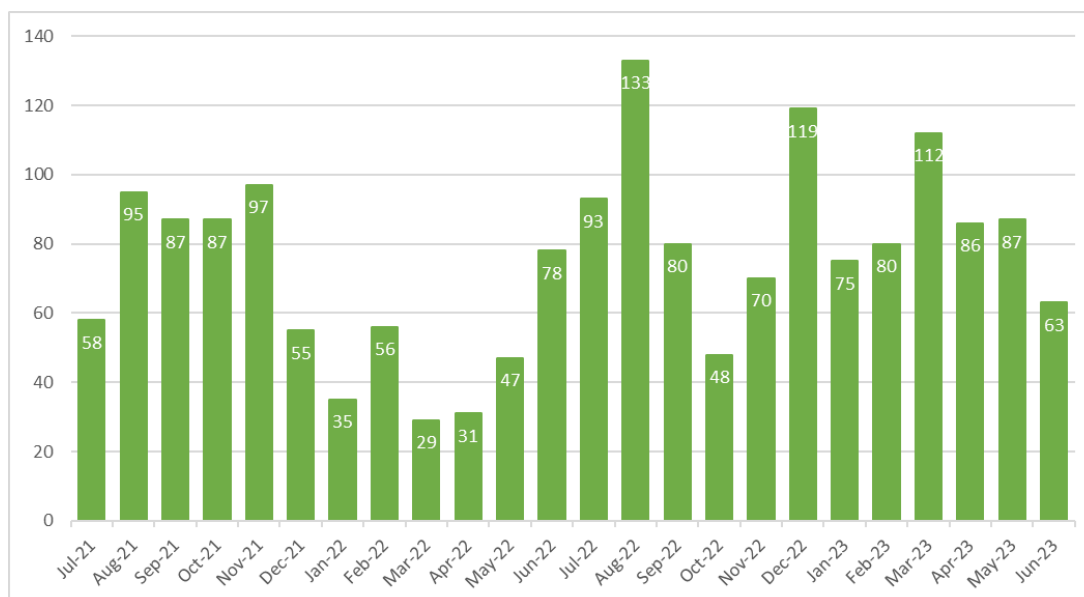
**Figure 18 – Swimming pools – Compliance on first site inspection.**



**Comment:** The number of first visit pool inspections required to be undertaken is following a general downward trend, however we would expect to see this pick up again over the next few months as more pools are approved and works are completed prior to summer.

Figure 19 illustrates the total number of site inspections undertaken by council building staff. It includes all swimming pool inspections, first site inspections and follow-up inspections.

**Figure 19 – Total number of site inspections – first visits and all follow-ups.**



## 5. Admin Update

### 5.1 Verification of Accepted Developments

Accepted development includes minor and standard applications which only require building consent. Upon lodgement these applications are reviewed by Administration to ensure they comply with the 'Accepted' criteria.

Figure 20 illustrates the total number of applications verified by administration staff as 'Accepted Development'. Applications meeting the 'Accepted Development' criteria are typically minor forms of development (small sheds, swimming pools etc) which met strict 'tick box' development assessment criteria.

**Figure 20 – Verification of accepted development consents.**

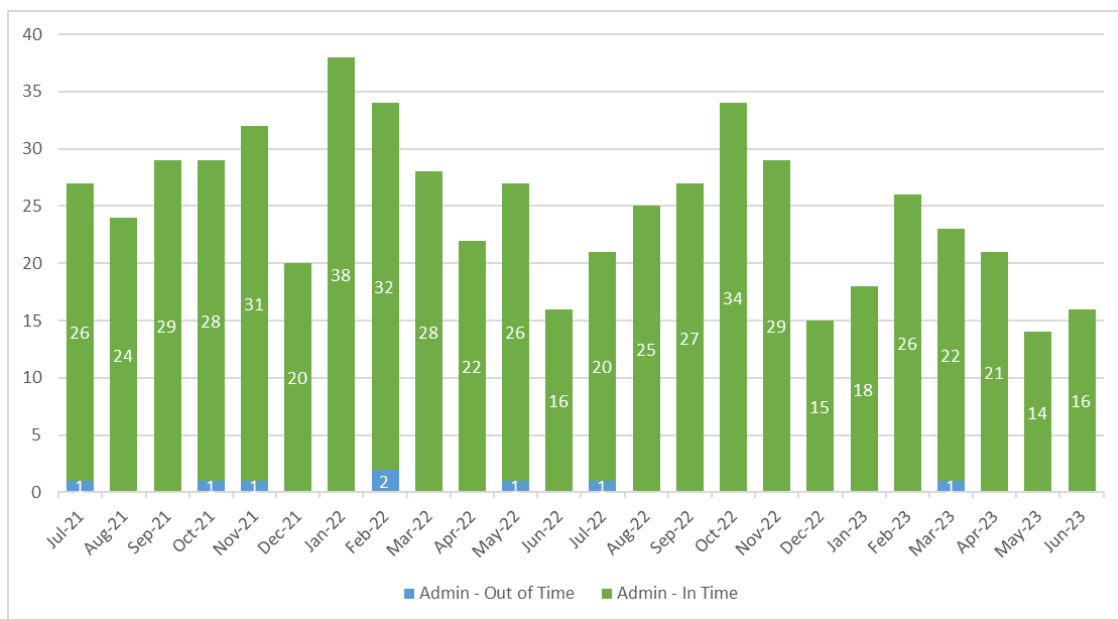
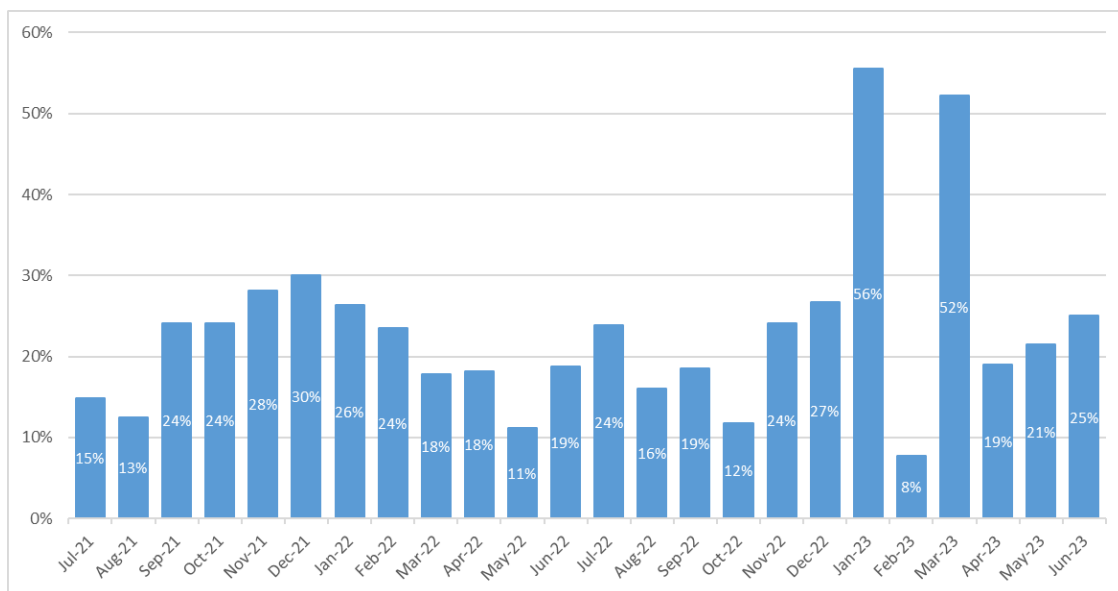


Figure 21 illustrates the number of 'Accepted' Development applications which require further mandatory information prior to continuing the process.

**Figure 21 – Percentage of accepted development consents requiring additional documentation at verification.**

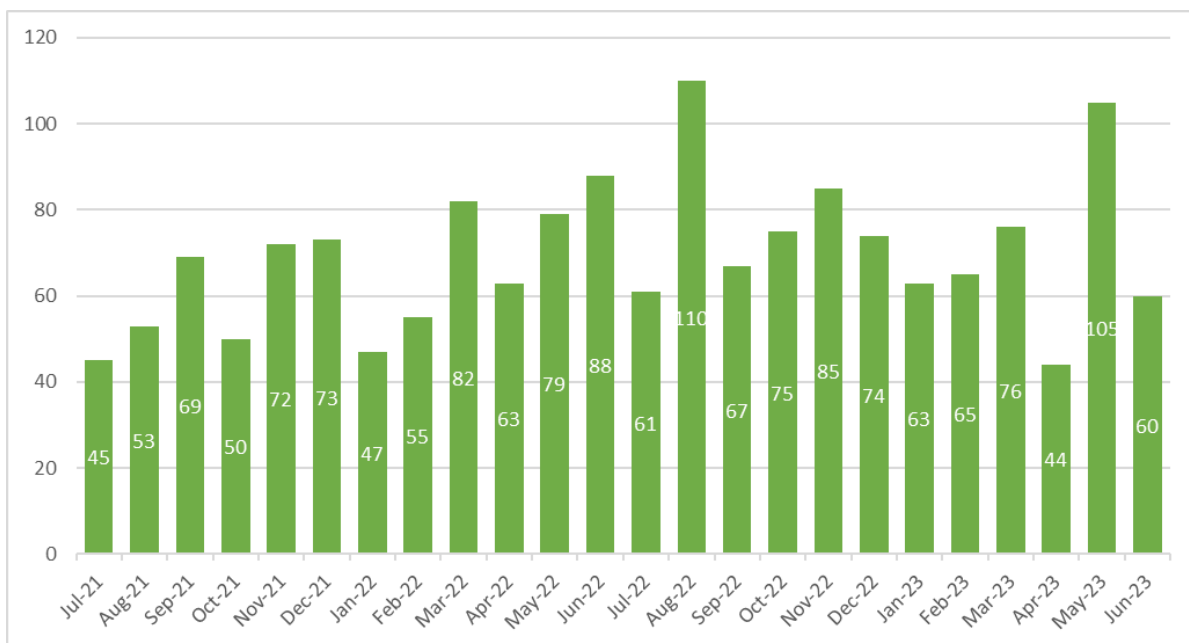


## 5.2 Consistency Checks

Consistency checks are undertaken when building rules consent is received from the Private Certifier. The plans approved by the Private Certifier are checked against the Planning Consent to ensure that the plans are consistent. Consistency checks are primarily undertaken by the Administration Team. Planning staff will check large residential, commercial and/or industrial developments.

Figure 22 illustrates the number of checks undertaken which have resulted in full development approval being issued. In the event of an inconsistency, either a planning or administration officer will advise the applicant Development Approval cannot occur until this is resolved.

**Figure 22 – Consistency Checks undertaken by administration.**



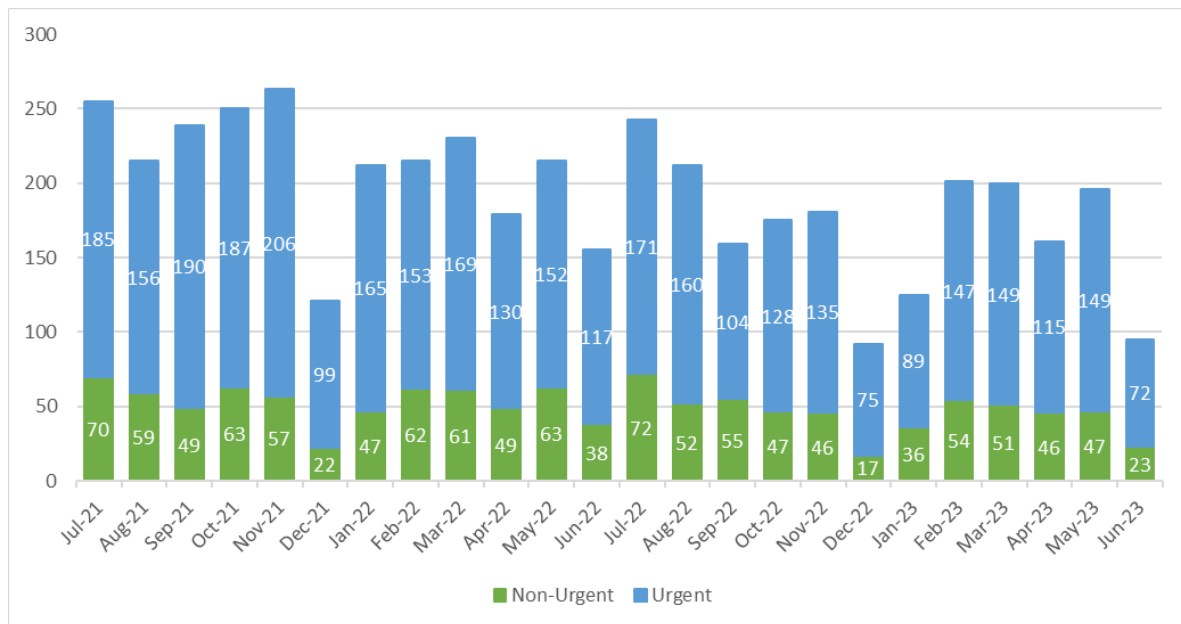
## 5.3 Property and Land Information Requests

When a property is purchased, the purchasers are provided with a Form 1. Council contributes to the Form 1 providing a certificate to the potential purchaser with all relevant known history for the property. A search is done on previous applications to check for continuing conditions, a copy of the indemnity insurance (if available) is attached, and any Land Management Agreements or current notices issued for that particular property are supplied with the certificate.

A property and land information request is calculated per Certificate of Title (CT) noting some CT's have multiple parcels and each parcel must be checked and a certificate provided for each parcel.

Figure 23 illustrates the number of urgent and non-urgent property and land information requests processed each month.

**Figure 23 – Property and land information requests**



**Urgent:** Given priority and generally completed within 24 hours of payment.

**Non-urgent:** Council has 8 working days from the day payment is received to complete the search. This data does not include Rates Certificate only requests.

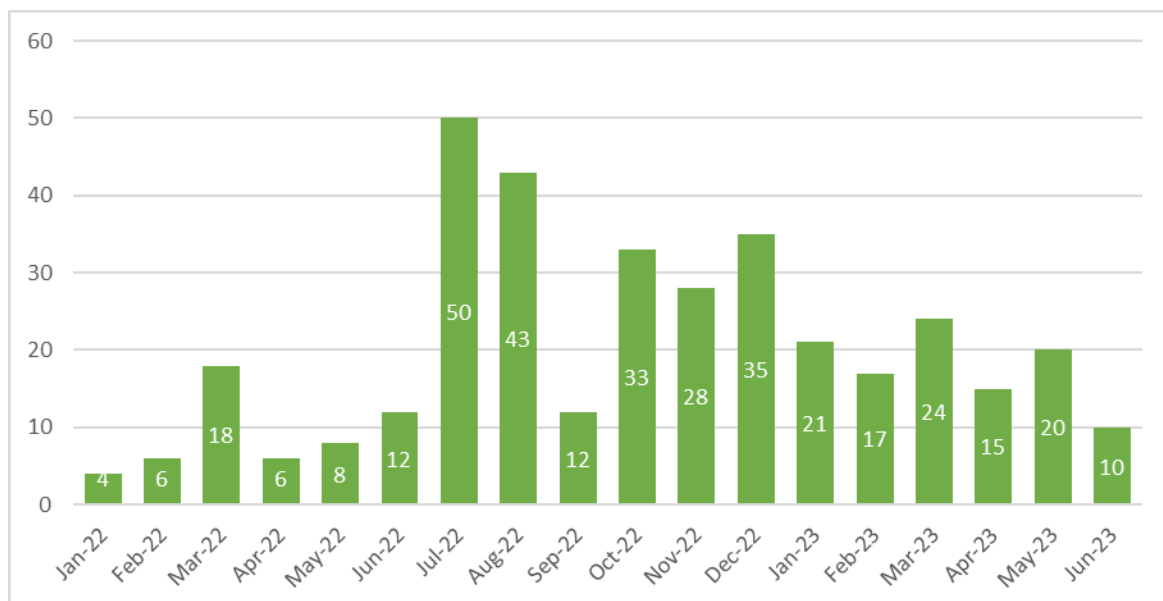
**Comment:** The number of requests remained stable during February-May, decreasing in June as expected based on previous years. It is anticipated that in July we will receive the highest number since the same time last year after which we would expect to see numbers stabilise again.

## 6. Compliance Update

### 6.1 Planning Compliance

Figure 24 details the total number of formal compliance matters completed each month. A formal compliance matter is where a salesforce case has been created and the issue investigated. The graph does not illustrate any day-to-day compliance queries.

**Figure 24 – Number of planning compliance matters completed per month.**



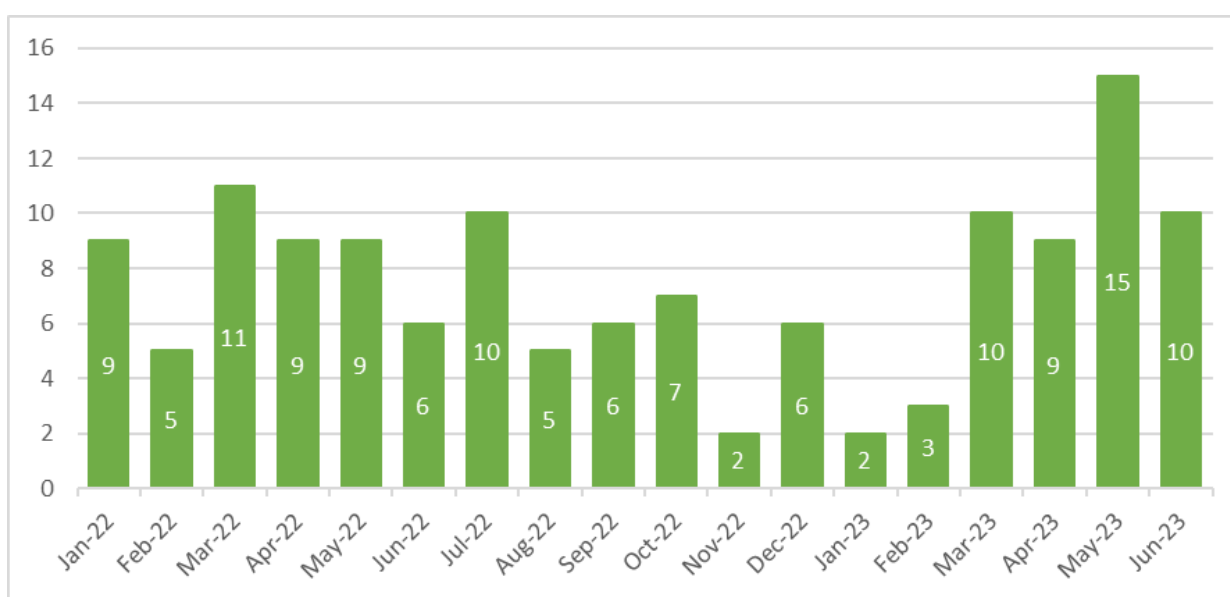
**Comment:** The total number of matters closed in June were somewhat lower as a result of considerable resourcing being dedicated to investigating and assisting Felmeri Homes.

There are 60 active planning compliance matters, received between December 2021 and June 2023. These are either on hold pending rectification and/or suitable negotiated outcomes.

## 6.2 Building Compliance

Figure 25 details the total number of formal compliance matters completed each month. A formal compliance matter is where a salesforce case has been created and the issue investigated. The graph does not illustrate any day-to-day compliance queries.

**Figure 25 – Number of building compliance matters completed per month.**



**Comment:** Building compliance matters have steadily risen, peaking in May and June 2023 with a number requiring further follow-up to rectify matters. This can be attributed to an increase in stormwater related matters due to autumn/winter rainfall.

There are 12 active building compliance matters received between January and June 2023, these are either on hold pending rectification works being completed or negotiating suitable outcomes.

## ATTACHMENTS

1. EM Factsheet - Miscellaneous Technical Enhancement Code Amendment Update [9.1.1 - 3 pages]



# Miscellaneous Technical Enhancement Code Amendment

## Elected Member Factsheet



### Background

As of 2 June 2023, the Planning & Design Code has been updated by the Miscellaneous Technical Enhancement Code Amendment. This will affect how some development applications are assessed and processed.

This amendment was initiated by the State Planning Commission and is primarily focused on addressing technical and operational elements within the Code, rather than changing policy intent or outcomes.

### Summary of Key Changes



#### Public Notification

- Most forms of ancillary development are now excluded from public notification in most zones.  
This includes sheds, verandahs, carports, fences and retaining walls. Previously, these structures were subject to public notification if proposed boundary length and/or height dimensions exceeded the suggested Zone guidelines.  
*The Planning Team will continue to assess each application 'on its merits' against the applicable Planning & Design Code criteria and, where relevant, be subjected to the Planning Team's internal delegations and assessment review processes.*
- A variation to a public notification trigger can now be deemed as 'minor'.  
For example, a dwelling boundary wall of 11.6m in length could be deemed a 'minor variation' to a public notification trigger of 11.5m. This augments existing powers to deem a development as 'minor' to not require public notification, and could be used in instances such as where the proposed wall might mostly adjoin an existing wall on a neighbouring property.  
*Discretionary use of this power will be continue to be monitored by the Planning Team in accordance with their internal delegations and assessment review processes.*

#### New Definitions

- Adult entertainment premises; Adult products and services premises  
Definitions added to differentiate these land uses from more widely expected 'shops' or 'personal domestic services establishments' (such as salons). However no policy which directly relates to the control of these land uses has been added at this time. This does not affect existing premises which have existing use rights.
- Direct overlooking  
Provides greater clarity on the existing concept of 'direct overlooking' – and therefore greater clarity on the visual privacy protections that adjacent properties can expect from a development's upper floor windows, balconies or decks.
- Function venue  
This may affect how certain applications are defined and processed – potentially including Council projects for recreation facilities where functions are anticipated. It may also provide greater opportunity for compliance action to be taken against premises which are deemed to be used primarily for functions without the appropriate use rights.
- Heavy vehicle parking  
Provides greater clarity and control over this existing development matter, with associated policy for assessment.

#### Other Updates

- Ancillary accommodation  
Definition updated to provide more stringent protection against granny flats which are designed or intended to effectively be second dwellings. However there remain no controls over private rental arrangements (i.e. who can live in it).
- Miscellaneous sundry changes  
Corrected various minor inconsistencies in policy wording, refined certain other definitions, and removed irrelevant barriers to certain minor assessment pathways.



**Any questions?** Find [further information here](#); refer to the next pages; or contact Warwick (665) or Alex (668).

**City of Marion**  
**Development and Regulatory Services Division**  
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PO Box 21, Oaklands Park SA 5046

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Page 1 of 3

Updated 6 June 2023

# Miscellaneous Technical Enhancement Code Amendment

Factsheet for Elected Members



## Appendix - Additional Information

Extracts from Planning & Design Code Definitions



Land Use Term (Column A)	Definition (Column B)	Includes (Column C)	Excludes (Column D)
<u>Adult entertainment premises</u>	Means a premises used for the exhibition, display, or performance of any entertainment or act which is sexually explicit such as nude dancing or lap dancing, and to which admittance by minors is restricted by law but does not include a <u>personal or domestic services establishment</u>		<u>Personal or domestic services establishment;</u> <u>Shop.</u>
<u>Adult products and services premises</u>	Means a premises used for the sale, exchange, hire, exhibition, loan, delivery or display, or to otherwise render accessible or available to the public, sexually explicit material including: (a) publications classified as restricted or prohibited under the <i>Classification (Publications, Films and Computer Games) Act 1995</i> ; and/or (b) material compounds, objects or devices (other than contraception and medical treatments) designed to be used in connection with sexual behaviour or activities; and/or (c) films, video films or tapes, any other form of optical or electronic records from which a visual image may be produced or any other pictorial matter, the sale, delivery, exhibition, advertisement or display of which is restricted or prohibited under the <i>Classification (Publications, Films and Computer Games) Act 1995</i> .  It does not include premises used for prostitution.		<u>Personal or domestic services establishment;</u> <u>Shop.</u>
<u>Ancillary accommodation</u>	Means accommodation that: (a) is located on the same allotment as an existing <u>dwelling</u> ; and (b) is not a self-contained residence; and (c) contains no more than 2 bedrooms or rooms or areas capable of being used as a bedroom; and (d) is subordinate to and does not have separate connection to utilities and services (such as electricity, gas, water, telecommunications, sewerage system, <u>wastewater system or waste control system</u> ) to those servicing the existing <u>dwelling</u> .		<u>Dwelling;</u> <u>Tourist Accommodation</u>

# Miscellaneous Technical Enhancement Code Amendment

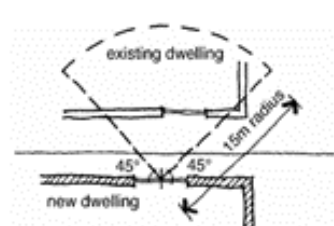
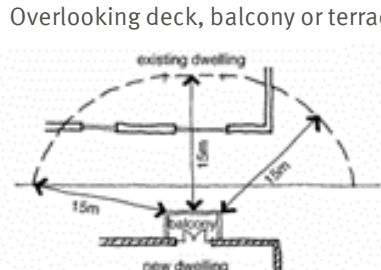
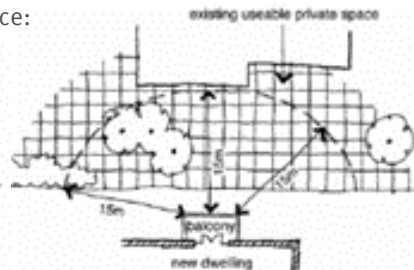
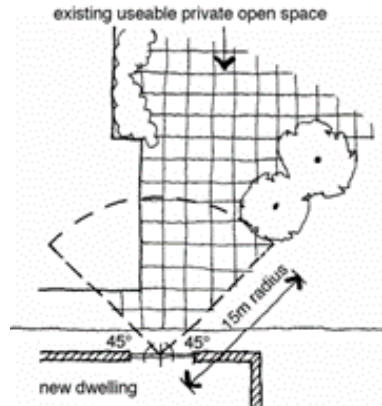
Factsheet for Elected Members



## Appendix - Additional Information

Extracts from Planning & Design Code Definitions



Term (Column A)	Definition (Column B)	Illustrations (Column C)	
<u>Direct overlooking</u>	<p>In relation to <u>direct overlooking</u> from a window, is limited to an area that falls within a horizontal distance of 15 metres measured from the centre line of the overlooking window and not less than 45 degree angle from the plane of that wall containing the overlooking window.</p> <p>In relation to <u>direct overlooking</u> from a deck, balcony or terrace, is limited to an area that falls within a horizontal distance of 15 metres measured from any point of the overlooking deck, balcony or terrace.</p>	<p>Overlooking window:</p>    	
Land Use Term (Column A)	Definition (Column B)	Includes (Column C)	Excludes (Column D)
<u>Function venue</u>	Means premises used primarily for the hosting of events, conferences, conventions, receptions or functions.		
<u>Heavy vehicle parking</u>	Means the parking of any vehicle exceeding 3000 kg in weight (including the weight of any attached trailer) on land used for residential purposes.		

## 9.2 Land Development Projects Update

<b>Report Reference</b>	PDC230801R9.2
<b>Originating Officer</b>	Manager Development and Regulatory Services – Warwick Deller-Coombs
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	General Manager City Development – Tony Lines

### REPORT OBJECTIVE

To provide the Planning and Development Committee with a status update on major land development projects.

### RECOMMENDATION

**That the Planning and Development Committee:**

1. Notes the report.

### DISCUSSION

Within the City of Marion, there are several major land development projects ongoing. This report is a standing report to keep the Committee informed on the progress of each.

#### Morphettville Racecourse (Morphettville)

<b>Project value (if known)</b>	\$350 million
<b>Land size (approximately)</b>	10 hectares
<b>Description</b>	New housing and commercial developments at the racecourse site.
<b>Comments</b>	CoM component includes approximately 200 dwellings (300 less than previously envisaged now that the Magic Millions site is not included), Potential infield open space activation as part of the broader SAJC Masterplan. Commercial and residential buildings up to 8-10 storeys are envisaged in the City of West Torrens component.
<b>Project Update</b>	Villawood have submitted a Land Division application for the project (10 July 2023). The application is currently being processed. CoM will work with the developer to agree on open space allocations and best solutions for access and stormwater. There are community open sessions planned for 20 and 22 July.

Oaklands Green (Oaklands Park)

<b>Project value (if known)</b>	\$135 million
<b>Land size (approximately)</b>	16.5 hectares
<b>Description</b>	New housing, social housing and upgraded open space.
<b>Comments</b>	740 homes including the replacement of 250 social housing properties. Note increase from 650 due to reconfigurations of allotment layouts.
<b>Project Update</b>	<p>Stage 1A civil works complete and remaining defects being rectified on Stage 1B &amp; 1C – delays occurred due to poor weather.</p> <p>The sales centre operates from 56 Barry Road.</p> <p>The project has sold out of each release of allotments – 34 to July plus 13 social housing allotments.</p>

Seacliff Village (Seacliff Park)

<b>Project value (if known)</b>	\$200+ million
<b>Land size (approximately)</b>	12 hectares
<b>Description</b>	New housing, open space, retail, and medical centre.
<b>Comments</b>	110 terraced housing units, 630 residential apartments, shopping centre and medical centre.
<b>Project Update</b>	<p><b>Suburb renaming</b></p> <p>An update provided by Surveyor-General's Office on 14 July is that a recommendation is on its way to the Minister with no timeline available.</p> <p><b>Council Boundaries</b></p> <p>The developer has requested the Boundaries Commission to consider a proposal to move the boundary to include the whole site within the City of Marion.</p> <p><b>Development projects</b></p> <p>The Stage 1 Land Division has been approved and the official development opening was held on 3 July.</p> <p>Staff are working with the developer on design guidelines and building envelope plans for future stages of the development.</p> <p>The developer will present an update to Council at the Forum on 8 August.</p>

Cove Point (Hallett Cove)

<b>Project value (if known)</b>	TBC
<b>Land size (approximately)</b>	12 hectares
<b>Description</b>	New suburban residential development
<b>Comments</b>	180 low-density allotments are envisaged. The area was rezoned in 2019/20 and the site officially transferred to the Marion Council from Onkaparinga Council, through a boundary realignment process (approved in 2021).
<b>Project Update</b>	The development is still on hold pending open space and stormwater considerations.

Dover Gardens (100 Folkstone Road)

<b>Project value (if known)</b>	TBC
<b>Land size (approximately)</b>	3.5 hectares
<b>Description</b>	New suburban residential development
<b>Comments</b>	Application for residential land division was submitted in May 2023. The application has not yet been formally lodged or assessed as it is pending required information.
<b>Project Update</b>	Pending Council assessment; awaiting further information from the applicant.

Former Hills Industries (Edwardstown)

<b>Project value (if known)</b>	N/A
<b>Land size (approximately)</b>	8 hectares
<b>Description</b>	Former home of Hills Industries, the site was previously earmarked for expansion of the Castle Plaza shopping centre. Council previously facilitated a developer-funded development plan amendment for the site to allow the expansion and mixed-use development.
<b>Comments</b>	DIT has acquired a portion of the site. Refer to Map (Attachment 1) for further details.
<b>Project Update</b>	TBA

## ATTACHMENTS

1. Attachment 1 - DIT Acquired Land [9.2.1 - 1 page]







**10 Other Business****11 Meeting Closure**

The meeting shall conclude on or before 7.00pm unless there is a specific motion adopted at the meeting to continue beyond that time.