

His Worship the Mayor  
Councillors  
City of Marion

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

Council Chamber, Council Administration Centre  
245 Sturt Road, Sturt

**Tuesday, 5 July 2022 at 6.30 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 3 May 2022**

<b>Report Reference</b>	PDC220705R4.1
<b>Originating Officer</b>	Business Support Officer – Governance and Council Support – Cassidy Ryles
<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 3 May 2022 be taken as read and confirmed.

**ATTACHMENTS**

1. PDC220503 - Final Minutes [4.1.1 - 6 pages]



**Minutes of the Planning and Development Committee  
held on Tuesday, 3 May 2022 at 6.30 pm  
Virtual Meeting Room - Zoom**



**PRESENT**

His Worship the Mayor Kris Hanna (from 7:16 pm)  
Councillor Kendra Clancy (Presiding Member)  
Councillor Raelene Telfer  
Councillor Luke Hutchinson  
Councillor Jason Veliskou

**In Attendance**

General Manager City Development - Tony Lines  
General Manager Corporate Services - Sorana Dinmore  
Acting General Manager City Services - Mathew Allen  
Manager Development & Regulatory Services – Warwick Deller-Coombs  
Senior Policy Planner – David Melhuish  
Team Leader Planning – Alex Wright  
Acting Unit Manager Community Health & Safety – Stephen Zillante  
Future Urban – Michael Osborn, Director  
SAJC – Neil Anderson, Development Manager  
Executive Officer to the General Manager City Development - Louise Herdegen

**1 Open Meeting**

The Chair opened the meeting at 6:38 pm.

**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**

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:

- Councillor Clancy advised working for the Minister Recreation, Sport & Racing but no involvement in this application. Consideration was given however not considered a conflict of interest.



#### 4 Confirmation of Minutes

##### 4.1 Confirmation of Minutes of the Planning and Development Committee Meeting held on 1 March 2022

Report Reference	PDC220503R4.1
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**Moved Councillor Telfer**

**Seconded Councillor Hutchison**

That the minutes of the Planning and Development Committee Meeting held on 1 March 2022 be taken as read and confirmed.

**Carried**

#### 5 Business Arising - Nil

#### 6 Workshop / Presentation Items

##### 6.2 SAJC Proposed Code Amendment - West of Morphett Road

Report Reference	PDC220503R6.2
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Mr Michael Osborn (Future Urban – consultant on behalf of the SAJC) gave a presentation for the Code Amendment related to the land known as 88-90 Morphett Road, Glengowrie. The presentation provided an overview of the site, context of previous rezoning in the area, aspirational infill vision and the code amendment and engagement process.

The following discussion points were noted:

- The plans for Morphett Road in the presentation are highly conceptual and final design and details of any development would be managed through the application process.
- A traffic modelling study would be undertaken following the Ministers approval to continue with the Code Amendment process. This would include future impacts on the area if the future infill vision were realised.
- A wholistic approach will be taken with all activity in the area, including consideration of the City of Marion's Code Amendment proposal.
- The intent of presenting to this Committee is provide support to commence the process and communication will continue with Administration as the process progresses.

**Moved Councillor Hutchinson**

**Seconded Councillor Veliskou**

That the Planning and Development Committee:

1. Notes the presentation.

**Carried Unanimously**



## 7 Reports for Discussion

### 7.1 Development Services Update including 12 month review of PDI

Report Reference PDC220503R7.1

7:16 pm Mayor Hanna joined the meeting.

The Manager Development & Regulatory Services gave a summary of the work undertaken by the Development Services Unit with the trends from the past 12 months since the introduction of the new Planning & Design Code.

The following discussion points were noted:

- ERD appeals have remained around the same.
- The data sourced from the Plan SA reporting system contains some anomalies and limitations which impacts some of the outcomes.
- Discussion and explanation on 'out of time', 'deemed consent notices' and limitations of the system.

**Moved Councillor Telfer**

**Seconded Councillor Veliskou**

That the Planning and Development Committee:

1. Notes the report.

**Carried**

### 7.2 Development Guidelines

Report Reference PDC220503R7.2

The Manager Development & Regulatory Services gave a brief update on a set of residential design guidelines to assist an improved level of development in the City of Marion.

The following discussion points are noted:

- The design guides are for educational purposes rather than enforcement.
- Images contained in the design guides will be rendered to avoid identifying the property (noting some work had already been undertaken to de-identify where possible).
- Future design guides /fact sheets to potentially include stormwater, energy savings, landscape plans ie how to build a garden with code approval.
- Design guides will be available electronically on Council's website.

**Moved Mayor Hanna**

**Seconded Councillor Veliskou**



That the Planning and Development Committee:

1. Notes the report.
2. Commends staff for updating and publishing the brochures to improve design for the City of Marion.

**Carried Unanimously**

### 7.3 Centre Zone Options

Report Reference PDC220503R7.3

**Moved Councillor Veliskou**

**Seconded Councillor Mayor**

That the Planning and Development Committee:

1. Recommends to Council to endorse the 'Centres Zone Adjustment Proposal to Initiate' (attached to this report) and that it be forwarded to the Minister for consideration/approval.

**Carried Unanimously**

### 7.4 Code Amendments Update

Report Reference PDC220503R7.4

The Senior Policy Planner gave a brief outline as detailed in the report. The following discussion points were noted:

- Southern Hills – gradients detailed within the policy are not open for change, given the structure of the zoning policy and limitations within the Plan SA system.
- Marion Road – work is progressing to determine the most suitable zone given the current market demands for the area.

**Moved Councillor Telfer**

**Seconded Councillor Veliskou**

That the Planning and Development Committee:

1. Notes the report and Marion Road Corridor to be discussed in more detail at the next Planning & Development Committee meeting.

**Carried Unanimously**



## 8 Reports for Noting

### 8.1 Land Development Projects Update

Report Reference PDC220503R8.1

**Moved Councillor Veliskou**

**Seconded Mayor Hanna**

That the Planning and Development Committee:

1. Notes the report.

**Carried Unanimously**

### 8.2 North South Corridor Update

Report Reference PDC220503R8.2

**Moved Councillor Veliskou**

**Seconded Councillor Hutchinson**

That the Planning and Development Committee:

1. Notes the report.

**Carried Unanimously**

## 9 Confidential Items – Nil

## 10 Other Business - Nil

## 11 Meeting Closure

The meeting was declared closed at 7:57 pm.

CONFIRMED THIS 5 DAY OF JULY 2022

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CHAIRPERSON

## **5 Business Arising**

### **5.1 Business Arising Statement - Action Items**

<b>Report Reference</b>	PD220705R5.1
<b>Originating Officer</b>	Project Support Officer (Development) – Anne Mitchell
<b>Corporate Manager</b>	Acting Manager Development and Regulatory Services – Alex Wright
<b>General Manager</b>	Acting General Manager City Development – Warwick Deller-Coombs

### **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. PDC220705 Business Arising Statement - Action Items [**5.1.1** - 2 pages]
2. PDC220705 Forward Agenda [**5.1.2** - 3 pages]

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

ATTACHMENT 1  
AS AT 21 JUNE 2022



Date of Meeting	Item	Response by	Due Date	Status/Response	Completed / Revised Due Date
4 May 2021	<b>Centre zoning review and Urban Activation opportunities</b> (Report Reference: PDC210504R04) <ul style="list-style-type: none"> <li>Dwyer/Johnstone, Oaklands Park – leave as is however follow up with the Ward Councillors and the property owner.</li> <li>Addison Road, Warradale – rezone the residential property. Follow up with the Ward Councillors.</li> </ul>	D Melhuish	3 May 2022	<p>FEB 22 - A summary of feedback from property owners and options will be presented to PDC on 3 May 2022 to progress.</p> <p>MAY 22 – Report to General Council 24 May 2022</p>	Completed
	1. Recommends to Council that a Code Amendment process for Local and Suburban Activity Centre Zones commence to realign historical errors in the spatial application of the zones and engage with identified owners and communities about the future of their centre zoning. Noting that community consultation will be undertaken as part of the process and Ministerial approval is required for any amendment to the Planning and Design Code.	D Melhuish	3 May 2022	<p>FEB 22 - A summary of feedback from property owners and options will be presented to PDC on 3 May 2022 to progress.</p> <p>MAY 22 – Report to General Council 24 May 2022</p>	Completed
5 October 2021	<b>Confidential Item - Lot 707 Marion Road, Bedford Park</b> (Report Reference: PDC211005F9.1)	W Deller-Coombs	5 July 2022	Update provided in PDC220705F6.1	In Progress

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

ATTACHMENT 1  
AS AT 21 JUNE 2022



Date of Meeting	Item	Response by	Due Date	Status/Response	Completed / Revised Due Date
1 March 2022	<b>Morphettville/Glengowrie Horse Related Activities Code Amendment</b> (Report Reference: PDC220301R7.1) <ol style="list-style-type: none"> <li>1. Recommends that Council seeks the Ministers approval for an amendment to the Proposal to Initiate to retain the Suburban Neighbourhood Zone with the following minimum site dimensions (Technical Numerical Variations): Detached dwelling 300m<sup>2</sup> (exclusive of any battle-axe allotment handle) / 9m Semi-detached 300m<sup>2</sup> / 8m Row dwelling 250m<sup>2</sup> / 7m Group dwelling 300m<sup>2</sup> (average, including common areas) / 18m Residential flat bldg. 300m<sup>2</sup> (average, including common areas) / 18m.</li> <li>2. Recommends that Council seeks the Ministers approval for the Code Amendment to include the area bounded by Morphett Road, Don Terrace, Bray Street and Austral Terrace.</li> </ol>	D Melhuish	22 March 2022	MAR 22 – Report to General Council 22 March 2022	Completed
3 May 2022	<b>Centre Zone Options</b> (Report Reference: PDC220503R7.3) <ol style="list-style-type: none"> <li>1. Recommends to Council to endorse the 'Centres Zone Adjustment Proposal to Initiate' (attached to this report) and that it be forwarded to the Minister for consideration/approval.</li> </ol>	D Melhuish	24 May 2022	MAY 22 – Report to General Council 24 May 2022	Completed
3 May 2022	<b>Code Amendments Update</b> (Report Reference: PDC220503R7.4) <ol style="list-style-type: none"> <li>1. Notes the report and Marion Road Corridor to be discussed in more detail at the next Planning &amp; Development Committee meeting.</li> </ol>	D Melhuish	5 July 2022	JUN 22 – Report to Planning and Development Committee 5 July 2022	Completed

\* Completed items to be removed are shaded

Planning &amp; Development Committee

# Meeting Schedule 2022



7 December	6.30 – 9.30
1 March 2022	6.30 – 9.30
3 May 2022	6.30 – 9.30
5 July 2022	6.30 – 9.30
6 September 2022	6.30 – 9.30
1 November 2022	6.30 – 9.30

**2022 Committee Membership**

- Membership – 6 Elected Members plus the Mayor
- Quorum - 4 Committee Members

**Presiding Member** – Kendra Clancy**Members**

- Sasha Mason
- Raelene Telfer
- Joseph Masika
- Jason Veliskou
- Luke Hutchinson

## Planning &amp; Development Committee

**Meeting Schedule 2022**

Planning and Development Committee			Date: Tuesday, 5 July Time: 6.30pm – 9.30pm		Venue: Chamber
Topic	Type of Report	Description	External Attendees	Staff Responsible	
North South Corridor Update	R	Standing report		B Grimm	
Development Services Activities Update	R	Standing report		W Deller-Coombs	
Code Amendments Update	R	Standing report		D Melhuish	
Land Development Projects Update	R	Standing report		W Deller-Coombs	
Development Case Studies Workshop	F	Confidential - Moved from May PDC		W Deller-Coombs A Wright	
Urban Corridor - Marion Road	R			D Melhuish N Timotheou	
Guidelines/Brochures Update	R			W Deller-Coombs	

Planning and Development Committee			Date: Tuesday, 6 September		Time: 6.30pm – 9.30pm	Venue: Chamber
Topic	Type of Report	Description	External Attendees	Staff Responsible		
North South Corridor Update	R	Standing report		B Grimm		
Development System Update	R	Standing report		W Deller-Coombs		
Code Amendments Update	R	Standing report		D Melhuish		
Land Development Projects Update	R	Standing Report		W Deller-Coombs		
Improvements/changes to urban infill planning/design				D Melhuish W Deller-Coombs		

Planning &amp; Development Committee

# Meeting Schedule 2022



Planning and Development Committee		Date: Tuesday, 1 November	Time: 6.30pm – 9.30pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
North South Corridor Update	R	Standing report		B Grimm	
Development System Update	R	Standing report		W Deller-Coombs	
Code Amendments Update	R	Standing report		D Melhuish	
Land Development Projects Update	R	Standing report		W Deller-Coombs	

## 6 Confidential Items

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

Report Reference	PDC220705F6.1
Originating Officer	Project Support Officer (Development) – Anne Mitchell
Corporate Manager	Acting Manager Development and Regulatory Services – Alex Wright
General Manager	Acting General Manager City Development – Warwick Deller-Coombs

### 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 Policy Planner 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.

## 6.2 Cover Report - Development Case Studies Workshop

Report Reference	PDC220705F6.2
Originating Officer	Acting Team Leader Planning – Nicholas Timotheou
Corporate Manager	Acting Manager Development and Regulatory Services – Alex Wright
General Manager	Acting General Manager City Development – Warwick Deller-Coombs

### REASON FOR CONFIDENTIALITY

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

(e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person

(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

### RECOMMENDATION

**That pursuant to Section 90(2) and (3) (e) and (g) of the *Local Government Act 1999*, the Council 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 Chief Executive, Manager Development and Regulatory Services, Team Leader Planning, Senior Policy Planner, Planning Officer – Development and Executive Officer to General Manager City Development, be excluded from the meeting as the Council receives and considers information relating to *Development Case Studies*, upon the basis that the Council 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 the provision of plans subject to the Copyright Act.**

## 7 Reports for Discussion

### 7.1 Urban Corridor - Marion Road

<b>Report Reference</b>	PDC220705R7.1
<b>Originating Officer</b>	Senior Policy Planner – David Melhuish
<b>Corporate Manager</b>	Acting Manager Development and Regulatory Services – Alex Wright
<b>General Manager</b>	Acting General Manager City Development - Warwick Deller-Coombs

### REPORT HISTORY

<b>Report Reference</b>	<b>Report Title</b>
GC210511R11	Proposed Code Amendments: Morphettville/Glengowrie stables, Southern Residential Areas, Centre Zones, Marion Road Corridor.
GC211214R11.12	Urban Corridor – Marion Road Code Amendment
GC210914R11.5	Urban Corridor – Marion Road Code Amendment

### REPORT OBJECTIVE

To seek the Planning and Development Committee's consideration and endorsement of potential amendments to the future direction that development along Marion Road should take.

### EXECUTIVE SUMMARY

At its General Meeting of 14 December 2021, Council resolved to request that the Minister for Planning place the Proposal to Initiate for the Urban Corridor- Marion Road Code Amendment, 'on hold', whilst Council undertakes further analysis.

On 16 December 2021 the Department advised that the Proposal to Initiate would be placed on hold until further advised by Council.

Administration has put further consideration into the potential development outcomes for Marion Road and relevant zoning to achieve those outcomes.

While initially investigating Urban Corridor zoning for Marion Road, the analysis undertaken has shown that better development outcomes may be achieved by rezoning parts of the residential zoning instead.

Administration seeks the Committee's consideration and direction on the matter.

### RECOMMENDATION

**That the Planning and Development Committee:**

- 1. Considers the report and the proposed amendments to the 'Urban Corridor – Marion Road Code Amendment - Proposal to Initiate'.**
- 2. Recommends that Council endorses the proposed amendments to the 'Urban Corridor – Marion Road Code Amendment - Proposal to Initiate' and that the amended version be forwarded to the Minister for consideration/approval.**

## **DISCUSSION**

### **Background**

Council originally investigated applying an Urban Corridor Zone along Marion Road as part of the Housing Diversity DPA; The zone was to provide opportunity for multi-storey mixed-use development (retail/commercial/residential) in appropriate locations and help relieve the pressure for infill development in local streets in the inner suburbs. However, this zone was not implemented.

On 19 March 2021 the State Government replaced all metropolitan Council Development Plans with the Planning and Design Code.

On 14 September 2021 Council endorsed the 'Urban Corridor Marion Road - Code Amendment' - Proposal to Initiate' which sought to investigate an appropriate zone and policy changes that would enable the creation of an Urban Corridor type zone (similar to that proposed in the Housing Diversity DPA) along relevant sections of Marion Road.

The Proposal to Initiate document was subsequently forwarded to the Minister for Planning for consideration.

Following the document being forwarded to the Minister, investigations into the proposed amendment identified matters with respect to the proposed zoning which required further analysis. This included traffic, built form and land use character, 'strategic sites', and the suitability of a blanket zoning approach along Marion Road.

The Department for Infrastructure and Transport (DIT) raised some concerns with the proposed Urban Corridor zoning, including existing high levels of traffic on Marion Road and raised the potential for different zoning strategies. It is also anticipated that the upcoming North-South Corridor (T2D project) along South Road is likely to cause additional traffic volumes on Marion Road during construction for approximately the next 10 years.

Staff compared the circumstances of Marion Road with those of other roads which have been subject to, and partially developed under, similar Corridor-type Zones, including Churchill Road and Prospect Road. Differences in existing character, traffic volumes and likely development outcomes were identified, implying that the form these roads have taken would be difficult to replicate on Marion Road.

Further staff analysis revealed that many of the 'strategic sites' along Marion Road, which were considered as catalysts for the Urban Corridor Zone during the Housing Diversity DPA, have now been developed.

On 14 December 2021 Council resolved to request that the Minister for Planning place the Proposal to Initiate for the Urban Corridor- Marion Road Code Amendment, on hold, whilst Council undertook further analysis on the most appropriate form of development for Marion Road. This analysis may result in changes to the proposed Code Amendment.

On 16 December 2021 the Department advised that the Proposal to Initiate would be placed on hold until further advised by Council.

### **Further Analysis**

Administration has put consideration into potential development outcomes for Marion Road and relevant zoning to achieve those outcomes.

### Existing Zones and Land Uses along Marion Road (most relevant)

Marion Road comprises a mix of residential and commercial type zones and land uses between the tram line to the north and Main South Road to the south. Most of the commercial zones/land uses are in the form of 'ribbon/lineal' type developments that are interspersed amongst residential zones/land uses along the length of Marion Road.

There appears to be similar extents of residential and non-residential land uses, however with the concentration of each differing in certain sections of the road. North of Oaklands/Daws Road the distribution is relatively mixed, whereas south of Oaklands/Daws Road there are greater concentrations and separation of each land use type. (*refer to Attachment 1 - Marion Road – Potential for Redevelopment of Residential Areas*)

The residential type zones include the General Neighbourhood Zone (GNZ), the Housing Diversity Neighbourhood Zone (HDNZ) and the Urban Renewal Neighbourhood Zone (URNZ). The most dominant zone being the GNZ.

The non-residential zones include the Employment Zone and the Suburban Activity Centre Zone.

### Urban Corridor Zone

The uptake for urban corridors along arterial roads, facilitating mixed use (medium density residential and commercial/retail type uses) does not appear to have met expected demands. This may be partly due to that not all main roads are the same. The likes of Prospect Road (in particular) and Churchill Road have quite different existing built form and streetscape characteristics as well as much lesser traffic volumes than Marion Road, which provide better opportunity for mixed use outcomes.

Marion Road already carries high volumes of traffic, with the potential of a substantial increase during the anticipated extensive period of disruption to traffic flows along South Road, throughout construction of the North-South Corridor. This issue has already been raised by DIT.

### Existing Non-Residential Zones

Current non-residential land uses on Marion Road, within the existing Suburban Activity Centre Zone and the Employment Zone, generally appear to be functioning/trading well so it is anticipated that there will be little change in the foreseeable future. Whereas residential development is possible in the Suburban Activity Centre Zone it is generally not supported within the Employment Zone.

It is also understood that there are low vacancies of commercial/industrial sites along Marion Road and that the closure/relocation of more businesses along the North-South Corridor may further increase demand for these spaces.

Therefore, it may be the most appropriate option for these two zones may be to leave them as they are, allowing the market to decide future outcomes within the policy parameters of the zones.

### Existing Residential Zones

Most residential properties on Marion Road are located within the General Neighbourhood Zone (GNZ).

Residential allotment sizes vary considerably along Marion Road. Allotment widths range between around 15m and 22m and depths range from around 34m through to around 45m. Site areas range from around 550m<sup>2</sup> through to around 1000m<sup>2</sup> (with many being between 650m<sup>2</sup> and 820m<sup>2</sup>).

Although most allotments are relatively deep some are rather narrow (15m – 16m) so have little potential for conventional (street facing) sub-division/redevelopment under the GNZ. However, the GNZ does allow group and residential flat buildings (unit type development) on 15m wide allotments. Such a narrow dimension lessens the opportunity for achieving a good development outcome, particularly on a busy arterial road.

### Housing Diversity Neighbourhood Zone (HDNZ)

Some residential property owners have been seeking a change to the existing residential policy/zone on Marion Road to allow greater residential development opportunities, as the current minimum lot dimensions are considered too restrictive.

Staff have considered several potential zones in an attempt to find a residential type of zone that allows greater flexibility in lot sizes whilst seeking appropriate development outcomes (including non-residential uses).

It is considered that the HDNZ may best facilitate suitable outcomes for residential properties on Marion Road, whilst providing opportunity for mixed use, if there is demand.

Variations (Technical and Numeric Variations) to minimum allowable site dimensions (site area and site frontage) and building heights are permitted within this zone.

Potential Technical and Numeric Variations are shown in the table below:

### **Housing Diversity Neighbourhood Zone - Potential TNVs (site dimensions and height)**

<b>Dwelling Type</b>	<b>Minimum site/allotment area per dwelling</b> <b>GNZ (current)</b>	<b>Minimum site/allotment frontage</b> <b>GNZ (current)</b>	<b>Building Heights</b> <b>GNZ (current)</b>
Detached dwelling (not in a terrace arrangement)	<b>250m<sup>2</sup></b> (exclusive of any battle-axe allotment 'handle') <b>300m<sup>2</sup></b>	<b>9m</b> <b>9m</b>	Maximum building height is 2 building levels and 9m, except where the site: A. is at least 1200m <sup>2</sup> in area and B. has a frontage of at least 30m - where maximum building height is 3 building levels and 12m  <b>2 building levels and 9m</b>
Semi-detached dwelling	<b>220m<sup>2</sup></b> <b>300m<sup>2</sup></b>	<b>8m</b> <b>9m</b>	
Row dwelling (or detached dwelling in a terrace arrangement)	<b>200m<sup>2</sup></b> <b>250m<sup>2</sup></b>	<b>7m</b> <b>7m</b>	
Group dwelling	<b>200m<sup>2</sup></b> (average, including common areas) <b>300m<sup>2</sup></b>	<b>18m (total)</b> <b>15m</b>	
Dwelling within a residential flat building	<b>200m<sup>2</sup></b> (average, including common areas) <b>300m<sup>2</sup></b>	<b>18m (total)</b> <b>15m</b>	

Application of the above site dimensions should provide increased opportunity for residential redevelopment whilst also achieving an appropriate development outcome. An 8m minimum frontage for semi-detached dwellings would facilitate increased development potential for many of the properties in the affected area. An 18m minimum frontage requirement for residential flat buildings and group dwellings should facilitate better development outcomes over the GNZ (in particular – functionality, access to Marion Road, aesthetics and amenity for adjoining properties).

Building heights in general are expected to be a maximum of 2 storeys, however possibility for 3 storeys could be provided if sites are amalgamated to obtain minimum site areas of 1200m<sup>2</sup> and frontages of 30m. These larger site dimensions would provide greater opportunity for a better designed outcome with lesser impacts for surrounding low density residential development.

It is suggested that the spatial alignment of the HDNZ be two allotments deep where possible, to allow opportunity for amalgamation, which potentially should result in better outcomes and allow better transition to existing low scale residential areas. The suggested alignment is shown in **Attachment 1**.

As with other ‘Neighbourhood’ type zones, the HDNZ allows opportunity for the development of small-scale complementary commercial uses, such as shops, offices and consulting rooms that contribute to the convenience of a neighbourhood.

#### Existing multi dwelling development on Marion Road

Desktop analysis, via aerial photography and mapping, has revealed that there are considerable numbers of existing multi dwelling developments on and around Marion Road, both historical and recent. These developments are unlikely to offer future potential for further redevelopment in the future due to multiple ownership and/or the relatively young age of the buildings. The locations of these developments are marked up in **Attachment 1**.

Notwithstanding the substantial numbers of existing multi dwelling developments, their inclusion within the HDNZ is still warranted as they reflect the built form envisaged. Whilst the number of current conventionally developed residential properties, with potential for future redevelopment, is not as substantial as originally anticipated, rezoning to the HDNZ will provide opportunity for a greater diversity of dwelling types and could facilitate better development outcomes along Marion Road than the current GNZ.

## CONCLUSION

An Urban Corridor Zone facilitating mixed use development may not be the most appropriate zone for Marion Road, as much of the existing land uses (both residential and non-residential) are unlikely to be redeveloped for the foreseeable future, and an increase in traffic volumes from higher density development and further commercial type land uses may have detrimental impacts on an already heavily trafficked road system.

Although there are currently no ‘mixed use’ developments along Marion Road, there is a substantial number of both residential and non-residential uses on separate sites. Developers may therefore seek to retain the separation of these uses rather than pursue a mix of uses that there may be little demand for.

For these reasons it may be appropriate to leave the current non-residential zones/land uses as they are, letting the market decide future outcomes, within the policy parameters of the zones.

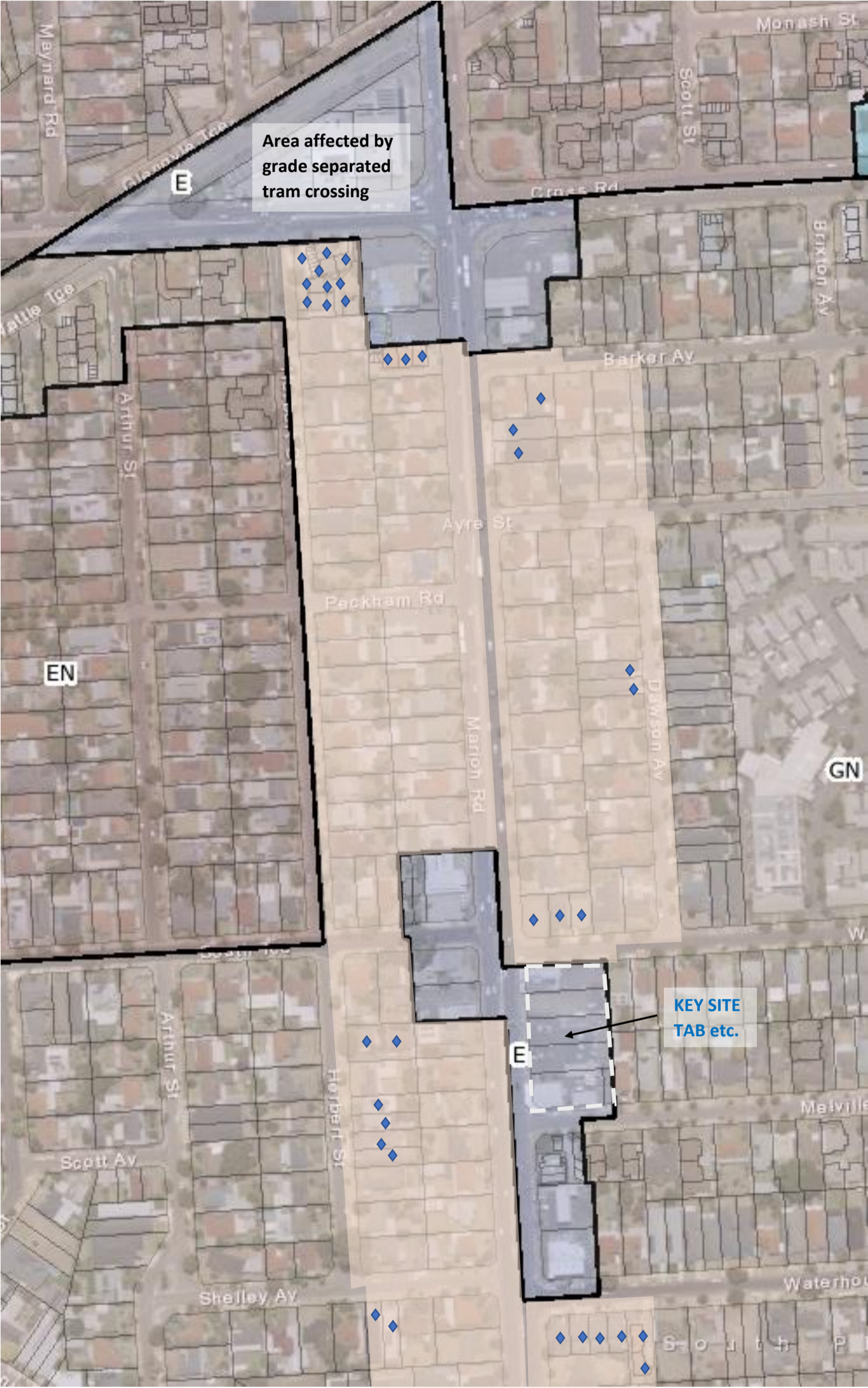
Also, even though there is already a substantial number of multi-dwelling developments along Marion Road, rezoning the residential areas to the HDNZ would provide opportunity for a greater diversity of dwelling types on the sites yet to be redeveloped, and could facilitate better development outcomes than the current GNZ.

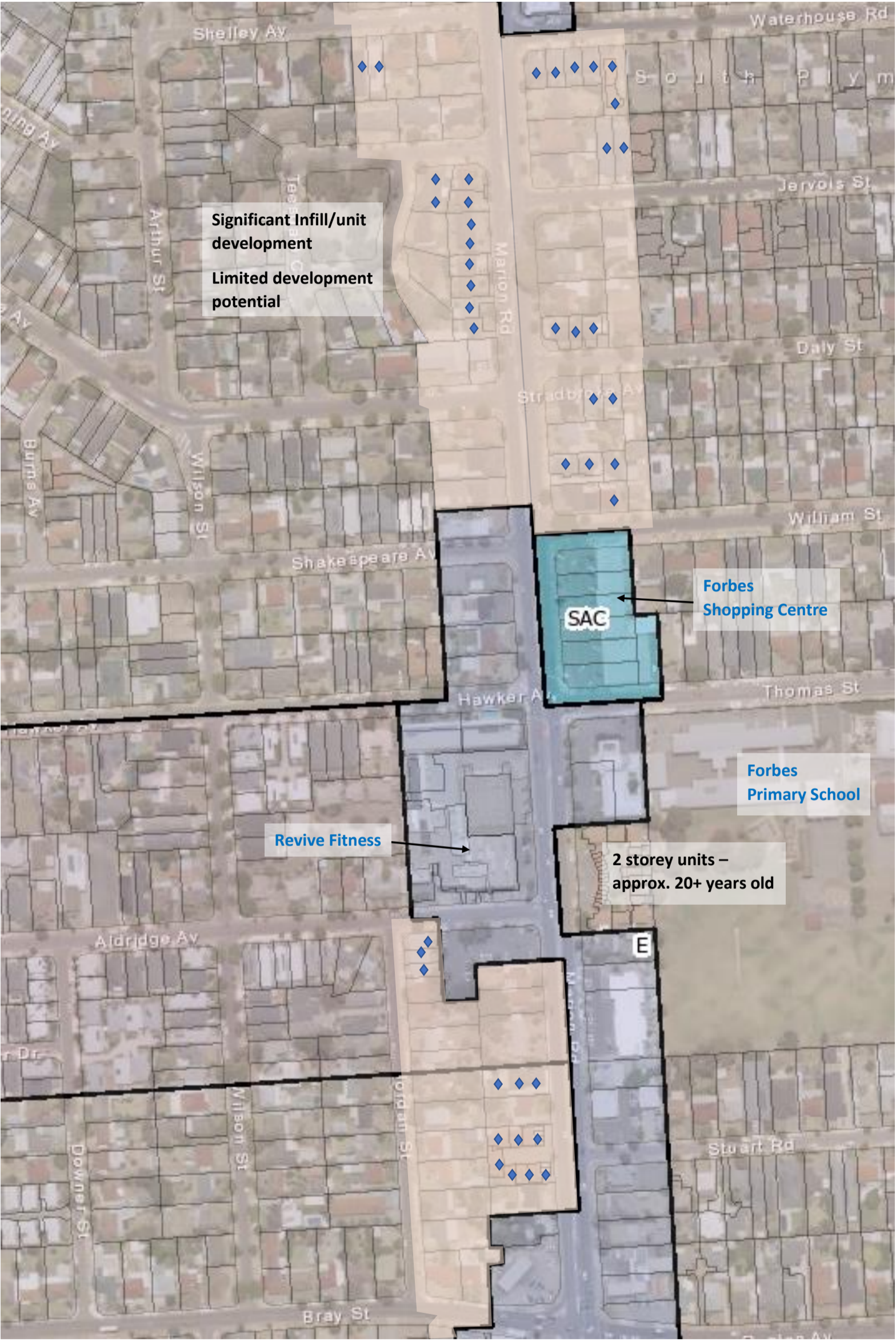
## **ATTACHMENTS**

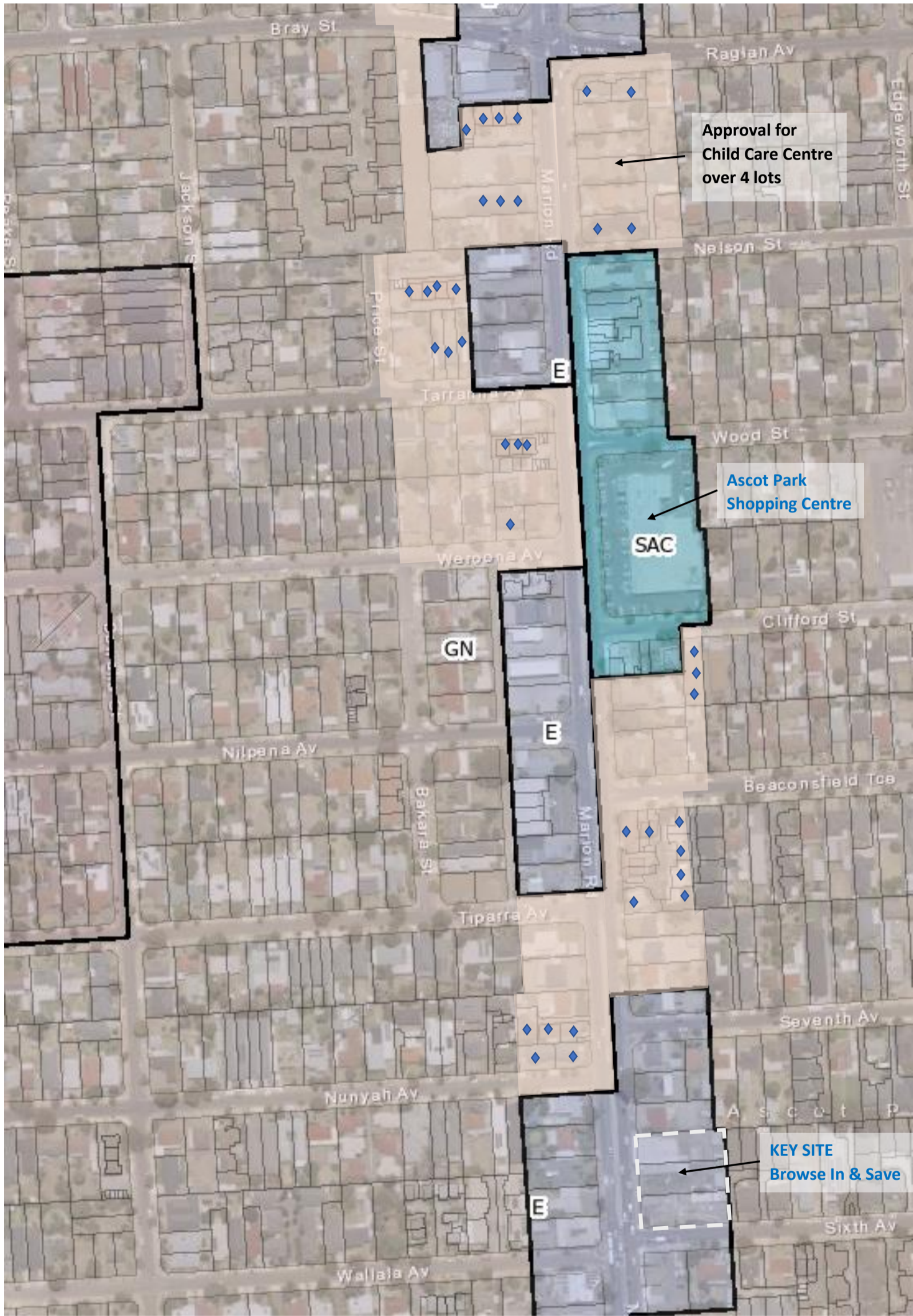
1. Attachment 1 - Marion Road - Potential for Redevelopment of Residential Areas [7.1.1 - 9 pages]

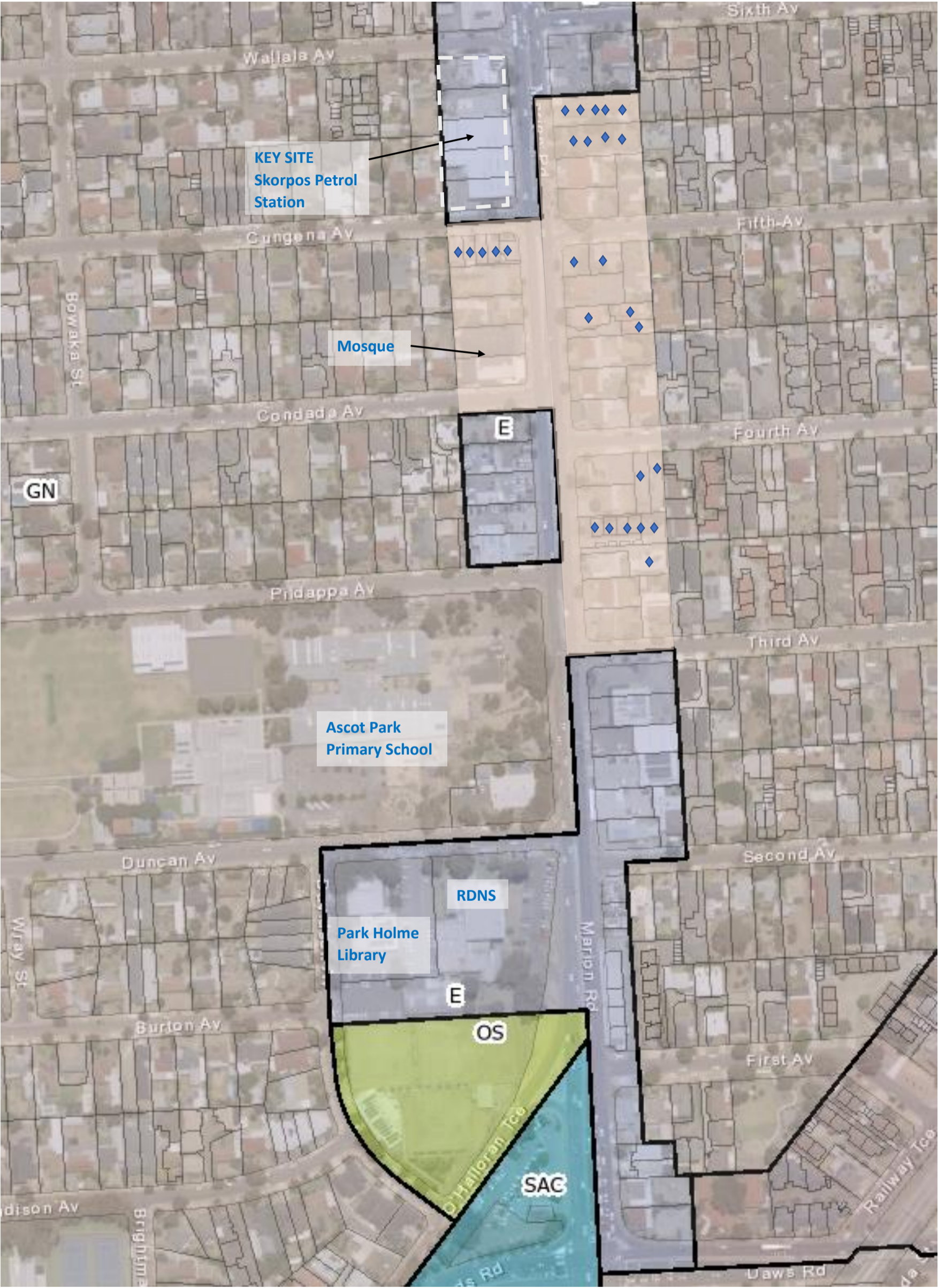
MARION ROAD – POTENTIAL FOR REDEVELOPMENT OF RESIDENTIAL AREAS

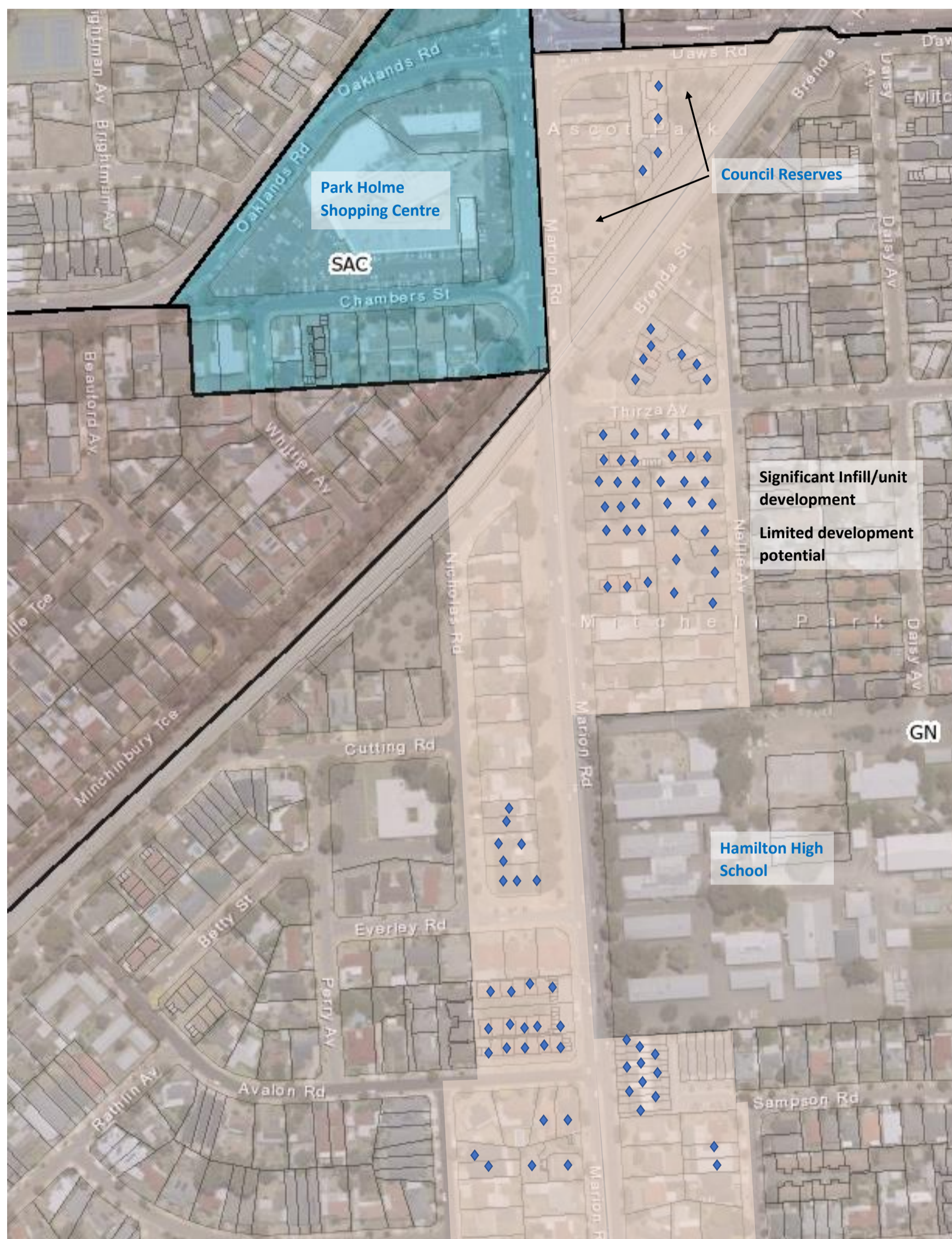
◆ MULTIPLE DWELLING DEVELOPMENTS      ■ AFFECTED AREA

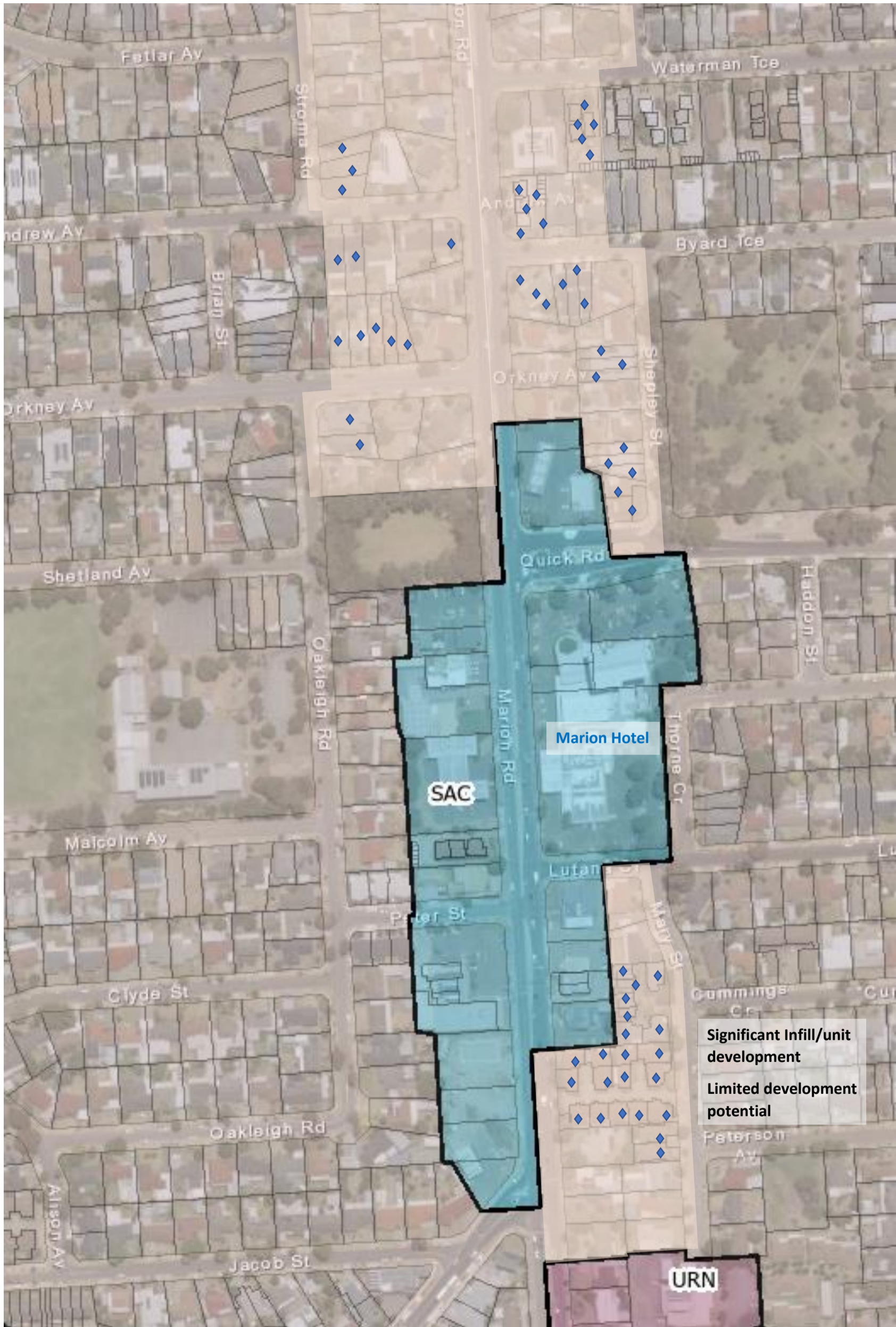


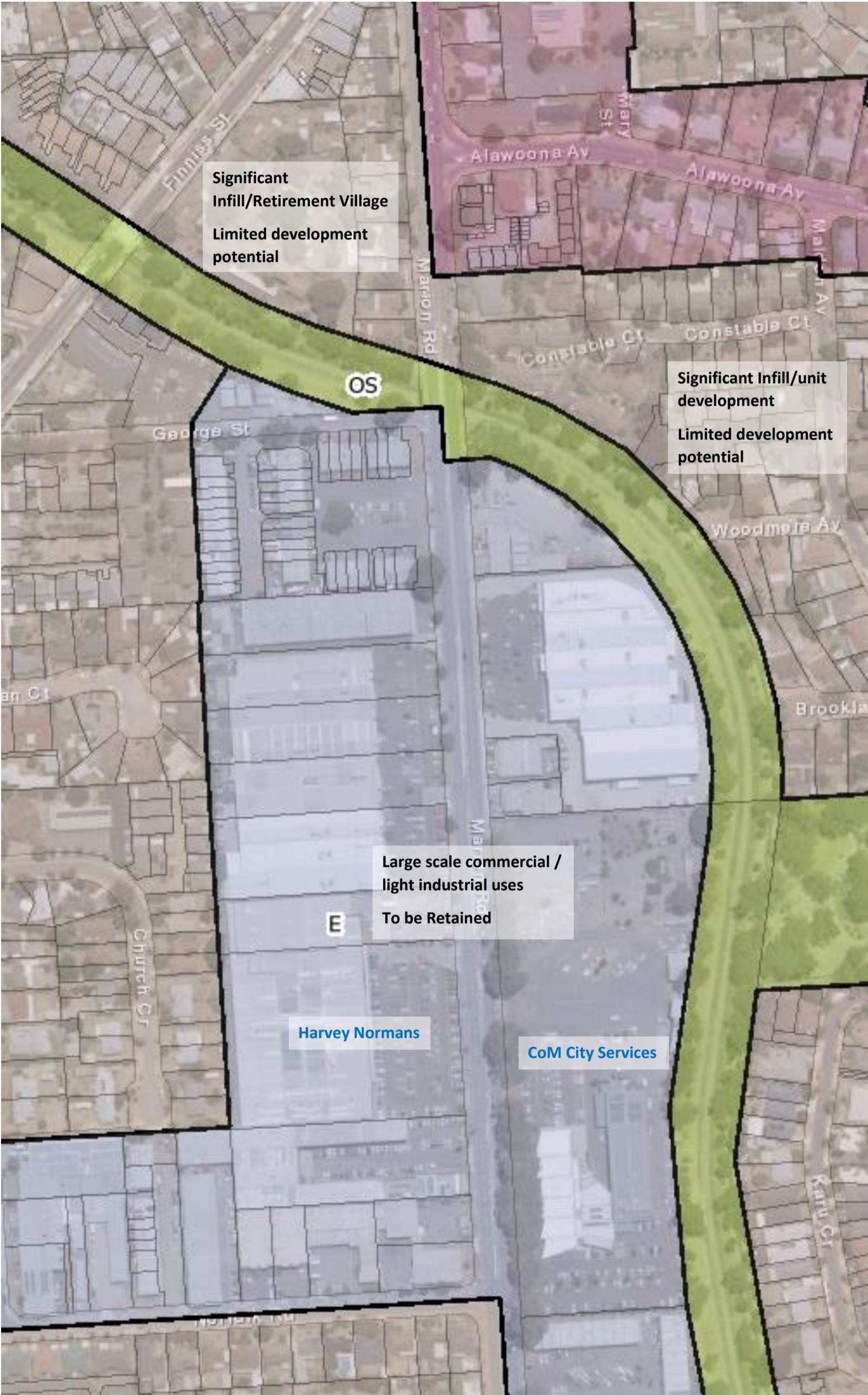


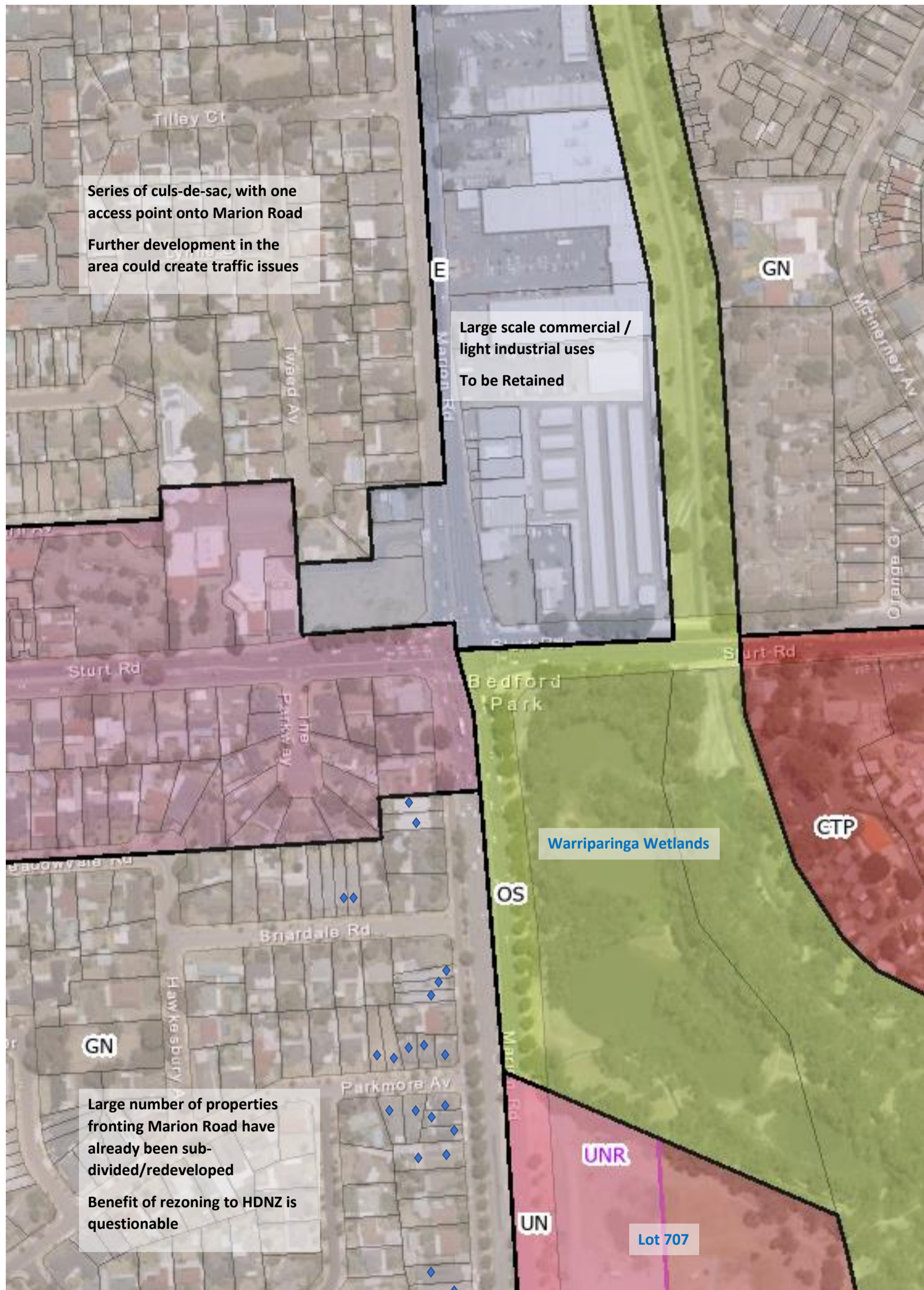


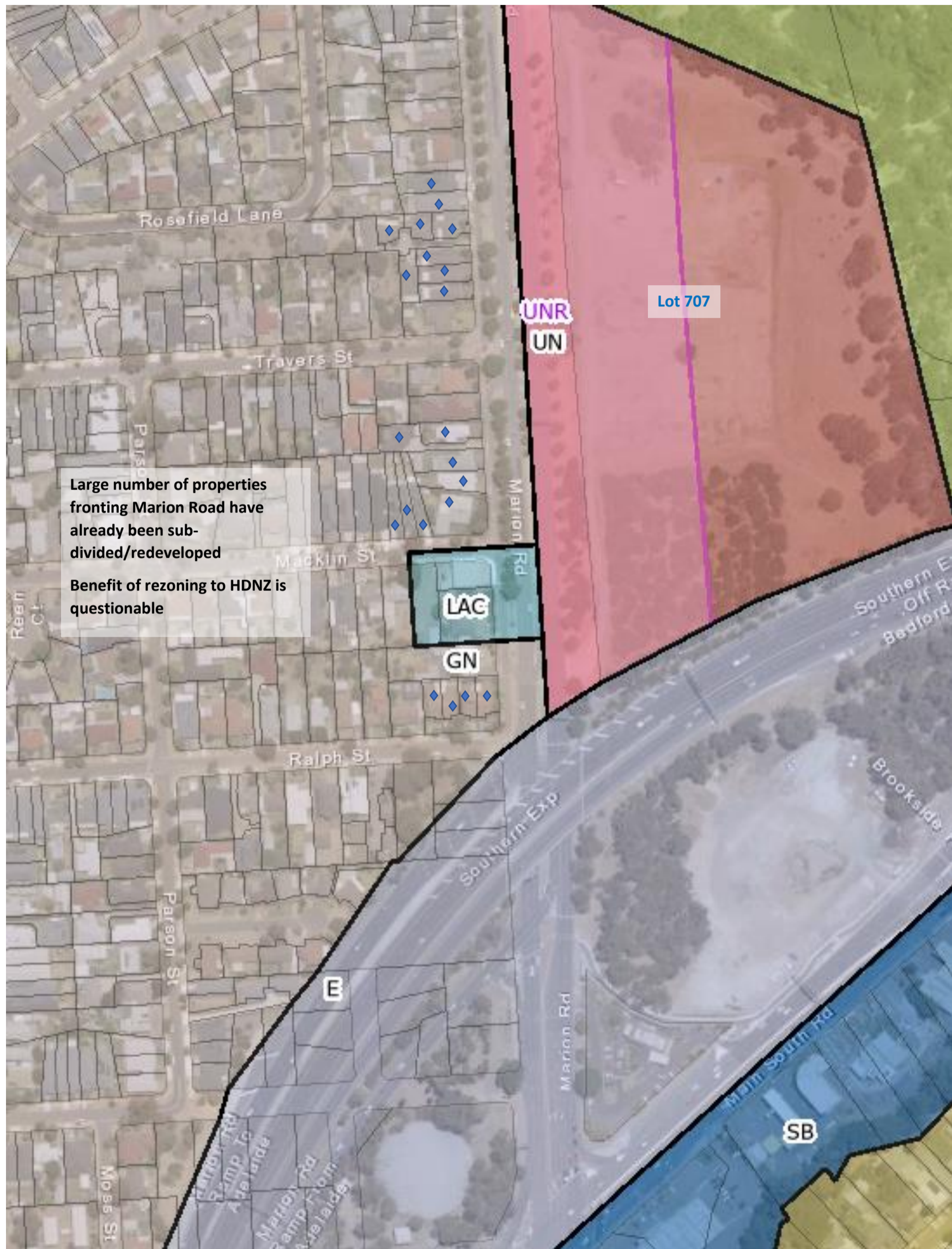












## 7.2 Code Amendments Update

<b>Report Reference</b>	PDC220705R7.2
<b>Originating Officer</b>	Senior Policy Planner – David Melhuish
<b>Corporate Manager</b>	Acting Manager Development and Regulatory Services – Alex Wright
<b>General Manager</b>	General Manager City Development - Warwick Deller-Coombs

## REPORT HISTORY

<b>Report Reference</b>	<b>Report Title</b>
PDC211207R7.2	Code Amendments Update
PDC220301R7.2	Code Amendments Update
PDC220503R7.4	Code Amendments Update

## REPORT OBJECTIVE

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

## EXECUTIVE SUMMARY

At the 11 May 2021 General Council meeting, Council approved the initiation of four Code Amendments.

Council has also been advised of two privately initiated Code Amendments, proposing a change of zoning within the Council area.

This is a standing report to update Council on the status of each.

## CURRENT STATUS

### Council Initiated Code Amendments

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

- An amended version of the Proposal to Initiate was drafted and forwarded to the Minister for approval on 5 April 2022.
- Currently awaiting a response from the Minister

#### ***Urban Corridor – Marion Road***

- A report outlining further analysis undertaken and a suggested zone that will allow appropriate forms and densities of residential/mixed use development along Marion Road has been included in this agenda.

#### ***Southern Suburbs Residential Policy***

- Administration met with Planning and Land Use Services to discuss potential policy parameters for the Code Amendment.
- Administration will continue work on the formal documentation and engagement plan.

### **Centre Zones**

- 24 May 2022 Council approved the 'Proposal to Initiate' a Code Amendment.
- 25 May 2022 the 'Proposal to Initiate' was forwarded to the Minister for consideration.

### **Privately Initiated Code Amendments**

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

- Proposal to Initiate lodged with the Minister
- Ministerial approval for initiation is still pending

#### ***Bedford Park (Lot 707) (Troon Group)***

- The Minister approved the Proposal to Initiate on 10 January 2022.
- Investigations on key issues are currently being undertaken.

A summary on each Code Amendment has been provided for the Committee's consideration in the 'Discussion' section of the report.

### **RECOMMENDATION**

**That the Planning and Development Committee:**

- 1. Notes the report.**

### **DISCUSSION**

#### **Council Initiated Code Amendments**

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

- The 'Proposal to Initiate' (a Code Amendment) document was approved by the Minister on 25 October 2021.
- Work on the Amendment and associated Community Engagement Plan has progressed.
- A report recommending the retention of the Suburban Neighbourhood Zone, with amended site dimensions (technical and numeric variations) and an expansion to the area to be rezoned, was supported by the Committee on 1 March 2022.
- Council approved the above amendments on 22 March 2022
- An amended version of the Proposal to Initiate was drafted and forwarded to the Minister for approval on 5 April 2022.
- Currently awaiting a response from the Minister.
- Staff regularly follow up with Planning and Land Use Services (PLUS). The latest info provided to CoM indicates that this may be able to be actioned under delegation by the Executive Director of PLUS in the next few weeks.

##### **Urban Corridor – Marion Road**

- A 'Proposal to initiate' document was forwarded to and received by PLUS via the planning portal on 16 September 2021.
- At a meeting with DIT on 19 November 2021 DIT raised some concerns with the proposed Urban Corridor zoning noting existing high levels of traffic on Marion Road and potential for

consideration of different zoning strategies.

- Staff have compared the circumstances of Marion Road with those of other roads which have been subject to similar Corridor-type Zones, including Churchill Road and Prospect Road, which has identified some differences in existing character, traffic volumes and development outcomes.
- Further staff analysis has also concluded that many of the 'strategic sites' along Marion Road which were considered as catalysts for the Urban Corridor Zone during the Housing Diversity DPA have now been developed.
- The PDC considered a report from staff, at the 7 December 2021 meeting which detailed the above matters, noting some issues with a blanket approach to the proposed corridor zoning and resolving the following: "The Committee recommends to Council to request the Minister for Planning hold the Marion Road Urban Corridor Code Amendment and ask Administration to undertake further analysis of specific sites along the proposed corridor."
- Council at the meeting of 14 December 2021 agreed to this action.
- On 20 December 2021 PLUS acknowledged Council's request and has placed the Proposal to Initiate on hold until further advised by Council.
- Zones that will allow appropriate forms and densities of residential/mixed use development are being considered by administration.
- A report outlining further analysis undertaken and a suggested zone that will allow appropriate forms and densities of residential/mixed use development along Marion Road has been included in this agenda.

#### Southern Suburbs Residential Policy

- Initial investigations regarding slope related information have been undertaken.
- A 'Proposal to initiate' document was forwarded to PLUS, via the planning portal, on 16 September 2021.
- An initial review of allotment sizes for properties within the Hills Neighbourhood Zone in other Council areas has been undertaken to help determine whether there is a common approach to the development of sloping land.
- An analysis of suitable lot sizes for specific gradients of land has commenced to ensure that appropriate planning outcomes can be achieved.
- The 'Proposal to initiate' (a Code Amendment) document was approved by the Minister on 11 February 2022; therefore, Council can proceed with the Code Amendment.
- Administration met with Planning and Land Use Services (via Teams) on 30 March 2022 to discuss potential policy parameters for the Code Amendment.
- Administration will continue work on the formal documentation and engagement plan and present the draft Code Amendment to Council.

#### Centre Zones

- Rezoning and/or realignment of centre zone boundaries could occur in some instances to address a variety of matters (e.g., site has been redeveloped, misalignment of zone boundary, need for a reduction/increase in zone boundary etc.).
- Informal comments from the owners of the affected sites were received in late November 2021 (pre-engagement).
- On 23 December 2021, Administration sought advice from PLUS whether 8 of the sites (boundary/land use discrepancies) could be undertaken under section 76 of the PDI Act. (Minor or operational amendments).
- 9 Feb 2022 - PLUS advised that notwithstanding the discrepancies between land use and zoning boundaries, the transition to the Code followed the correct process so does not meet the requirements of section 76.
- PLUS further advised that given the relatively minor changes sought, such a Code

Amendment may be able to be completed reasonably quickly.

- Administration has prepared a 'Proposal to Initiate' a Code Amendment, for the Committee's and Council's consideration.
- 24 May 2022 Council approved the 'Proposal to Initiate' a Code Amendment.
- 25 May 2022 the 'Proposal to Initiate' was forwarded to the Minister for consideration.
- 25 May 2022 Proposal to Initiate sent to Minister for approval.
- Staff regularly follow up with PLUS. The latest info provided to CoM indicates that this may be able to be actioned under delegation by the Executive Director of PLUS in the next few weeks.

### **Privately Initiated Code Amendments**

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

- Land is owned by the SAJC and located on the western side of Morphett Road, adjacent Morphettville Racecourse
- Proposal to Initiate lodged with the Minister seeking to rezone the land 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.
- Investigations have been undertaken to consider traffic management issues
- Future Urban for SAJC advises that Ministerial approval for initiation is still pending

#### ***Bedford Park (Lot 707) (Troon Group)***

- Proposal to Initiate lodged with the Minister seeking to rezone a part of lot 707 from Urban Neighbourhood Zone to an alternate zone, most likely the 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.
- The Minister approved the Proposal to Initiate on 10 January 2022.
- Investigations on key issues are currently being undertaken.

### **ATTACHMENTS**

Nil

## 8 Reports for Noting

### 8.1 Development Services Activities Update

<b>Report Reference</b>	PDC220705R8.1
<b>Originating Officer</b>	Acting General Manager City Development – Warwick Deller-Coombs
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	Chief Executive Officer – Tony Harrison

#### 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.

#### EXECUTIVE SUMMARY

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.

The City of Marion prepared extensively for the changeover, from both a policy and a business readiness perspective.

Since commencement of the Code, staff have primarily operated under the new system and therefore have had the opportunity to better understand the Code policy content and its impacts on the organisation and community.

The report provides a 'snapshot' of how the system is operating and is a standing report for the Committee to monitor development system performance.

#### RECOMMENDATION

**That the Planning and Development Committee:**

- 1. Notes the report.**

#### DISCUSSION

##### BAU updates

##### System Enhancements

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.

A new Workload Management report is now available to staff and is designed to bring together information and data currently available in a variety of reports, into one place.

### Amendments to P&D Code

Minor changes were made to the Public Notification table of each zone in early March. These changes were procedural in nature and clarified inconsistencies in the Code.

PLUS is in the process of undertaking a miscellaneous Code Amendment and is currently seeking technical feedback from the planning industry on the content of Public Notification tables, new assessment pathways and related policy and potential policy refinement and new/updated planning definitions.

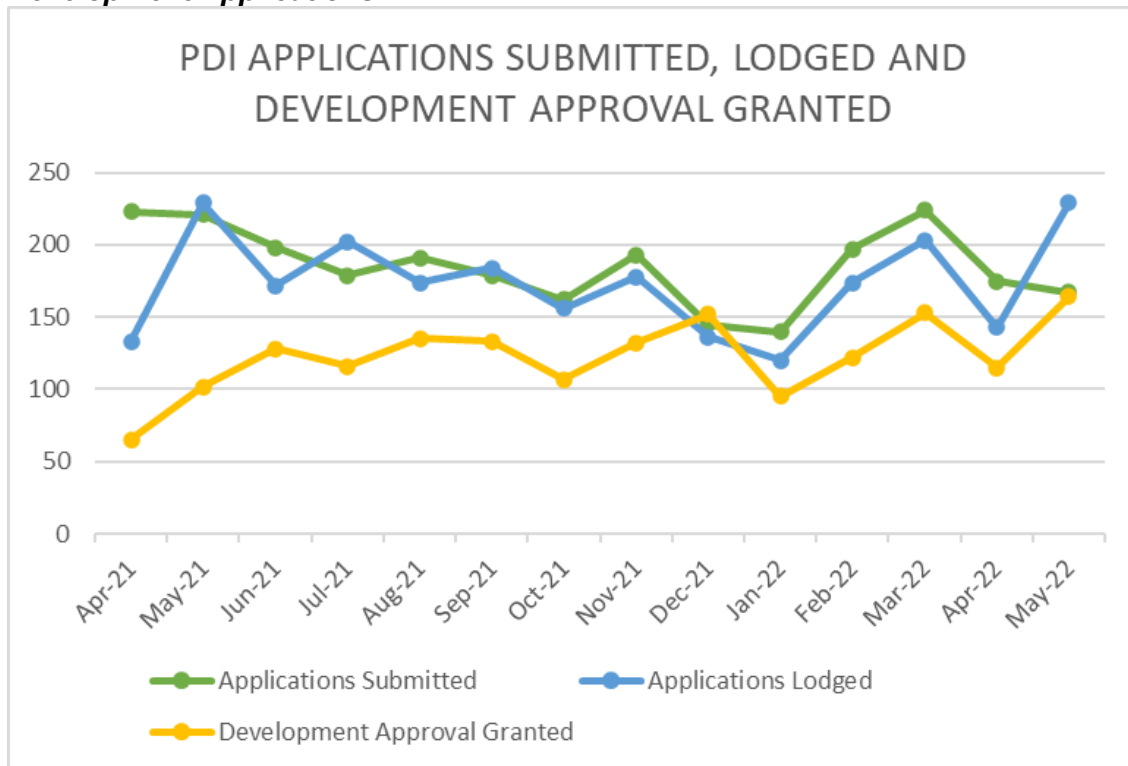
### 'Live' Snapshot

The following table (1) provides a 'live' snapshot of the system as at 20 April 2022 and at 16 June 2022. The live snapshot illustrates an increase in the number of applications in the process of Planning or Building Verification (i.e. quasi assessment prior to formal payment being received) and seven applications currently on public notification.

**Table 1: Snapshot of applications**

<b>Status</b>	<b>Number as at 20 April 2022</b>	<b>Number as at 16 June 2022</b>
Verification Check	20	36
Overdue Verification Check	2	0
Awaiting Mandatory Verification Documentation	147	123
Awaiting Fee Payment	26	28
Total Active Assessments	122	126
Overdue Assessments	7 – Active – Council awaiting further information from the applicant 22 – Paused – Application on Hold	5 – Active – Council awaiting further information from the applicant 29 – Paused – Application on Hold
Formal Request for Further Information	25	37
Active Referrals	7	7
Active Public Notification	0	7

**Development Assessment**  
**Development Applications**



**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.

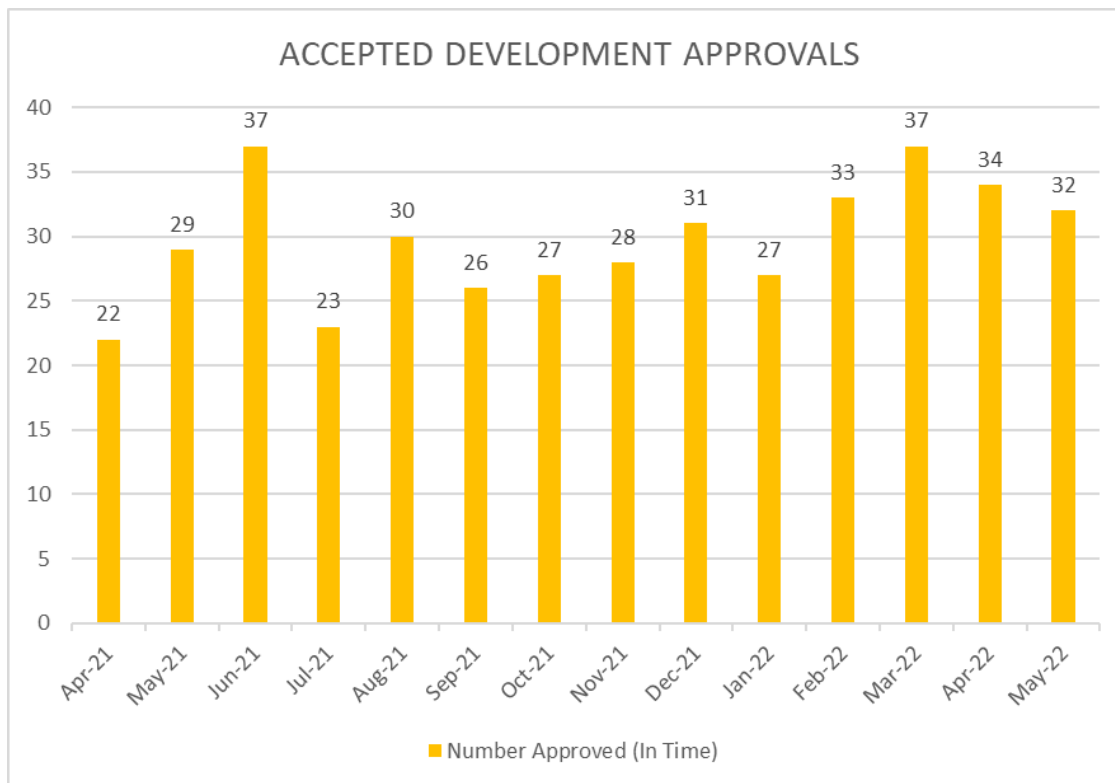
**Development Approval:** Permission to undertake a development, granted by the relevant authority.

**Comment:**

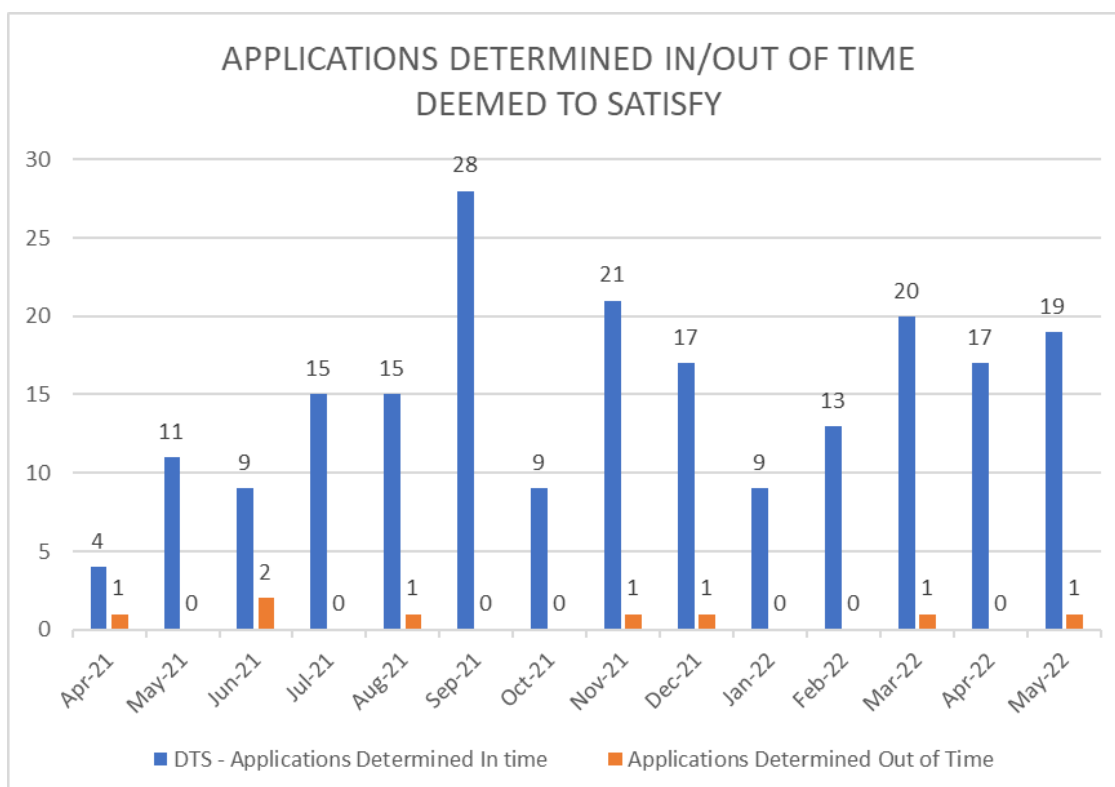
The number of applications submitted and lodged (following verification) exceeds the total number of applications receiving Development Approval and reflects typical trends. It is noted the number of applications that received Development Approval were the highest recorded under the operation of the PDI Act. Development Approvals are tracking higher in the first half of the calendar year compared to 2021.

## **PDI - Planning Consents**

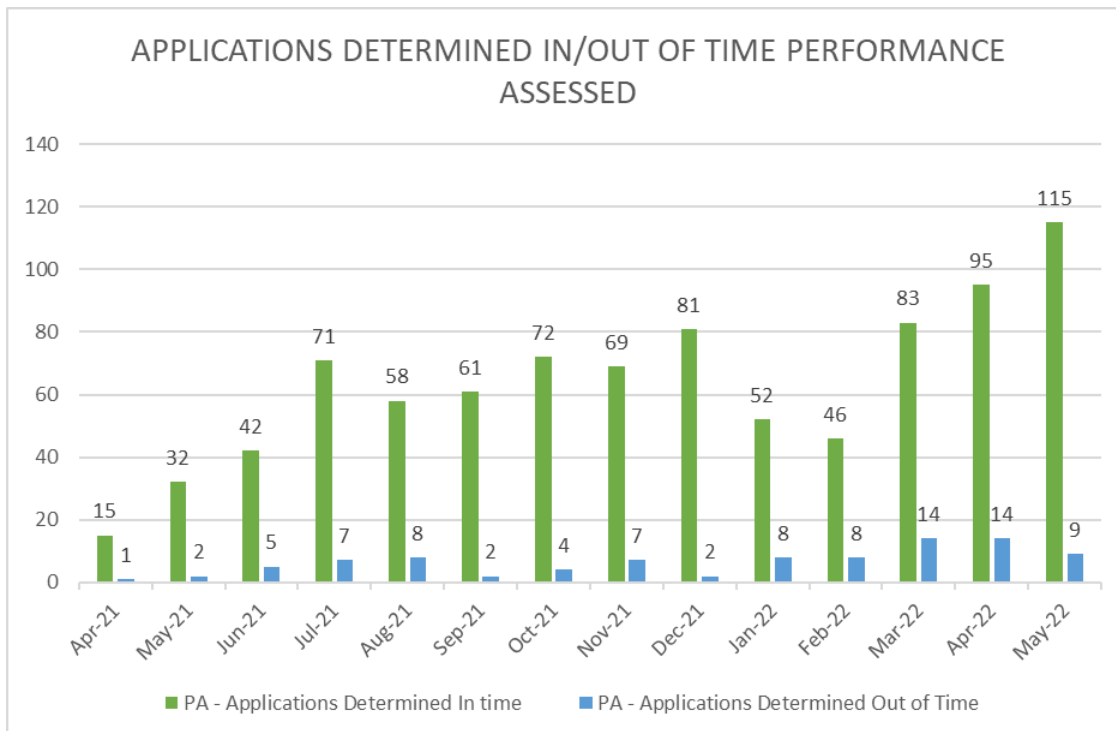
### **Planning and Land Division Consents by Relevant Authority**



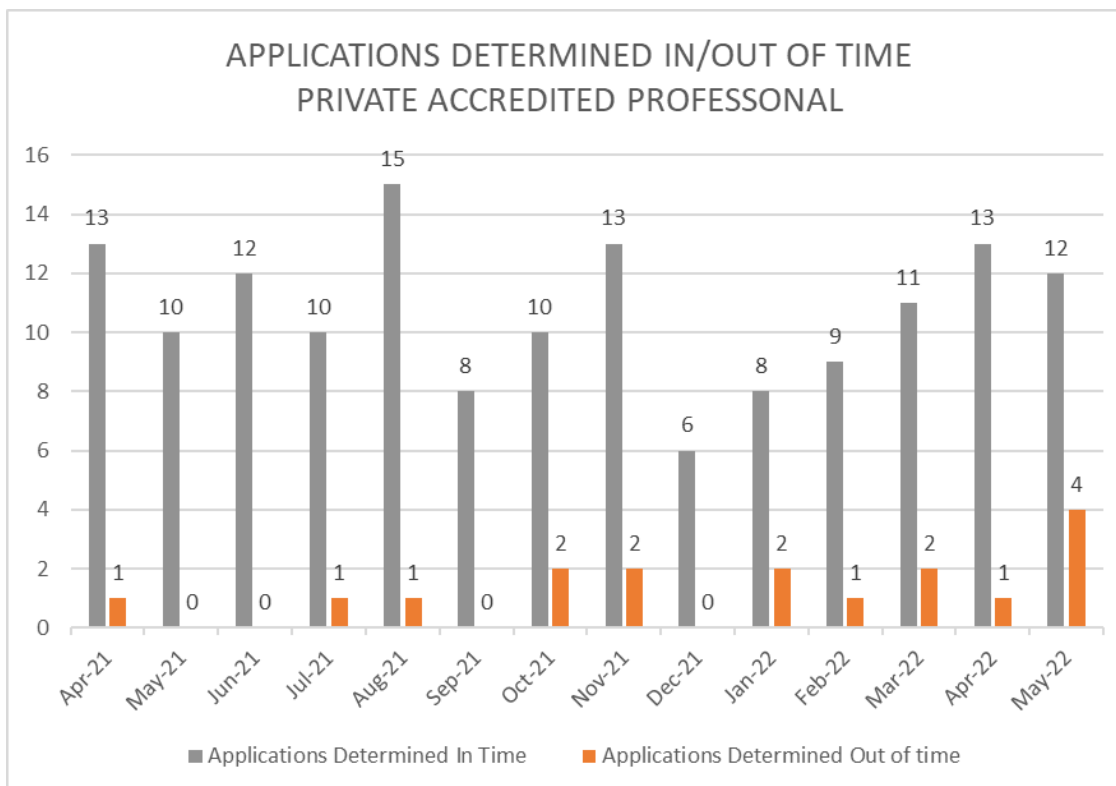
**Accepted:** Accepted development includes minor and standard applications which only require building consent. Upon lodgement these applications are reviewed by administration staff to ensure they comply with the 'Accepted' criteria.



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



**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).



**Percentage of Decisions made within Timeframes – January-May 2022 (inclusive)**

Assessment Manager - Deemed to Satisfy (DTS): 97.5%

Assessment Manager Performance Assessed: 86.45%

Private Accredited Professional: 81.14%

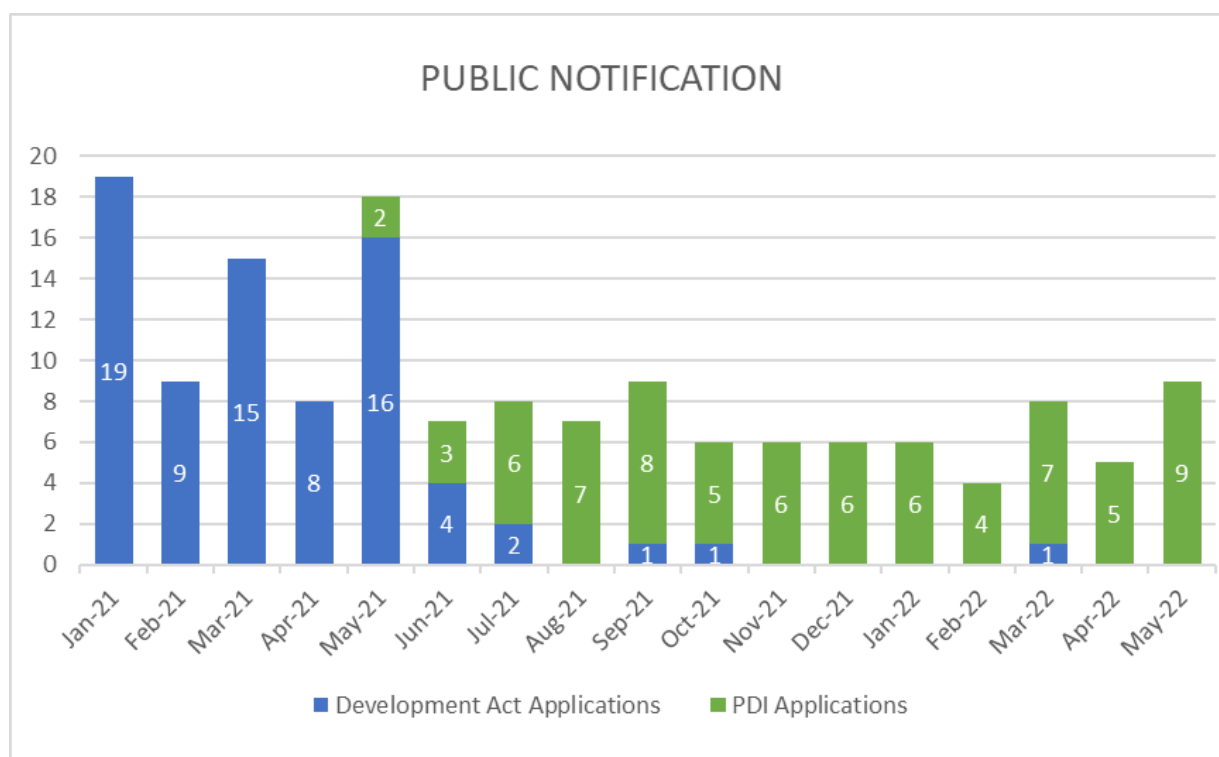
**Comment:**

The number of Planning Application's determined (I.e. Planning Consent granted or refused), whether Deemed-to-Satisfy or Performance Assessed, were the highest recorded under operation of the PDI Act. The increase in the number of determinations may be a consequence of the provision of additional temporary planning resources and limited leave taken by planning staff.

The number of applications determined 'out of time' were lower than March and April, 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.

**Public Notification**

The number of Public Notifications required has been reduced under the new legislation with the number having reduced by more than fifty per cent since mid 2021.



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

**Comment:**

The Public Notification process under the PDI provides 15 business days (up from 10) to provide comment, in addition to a notice being placed on the land and a copy of the plans uploaded to the state based public notification register.

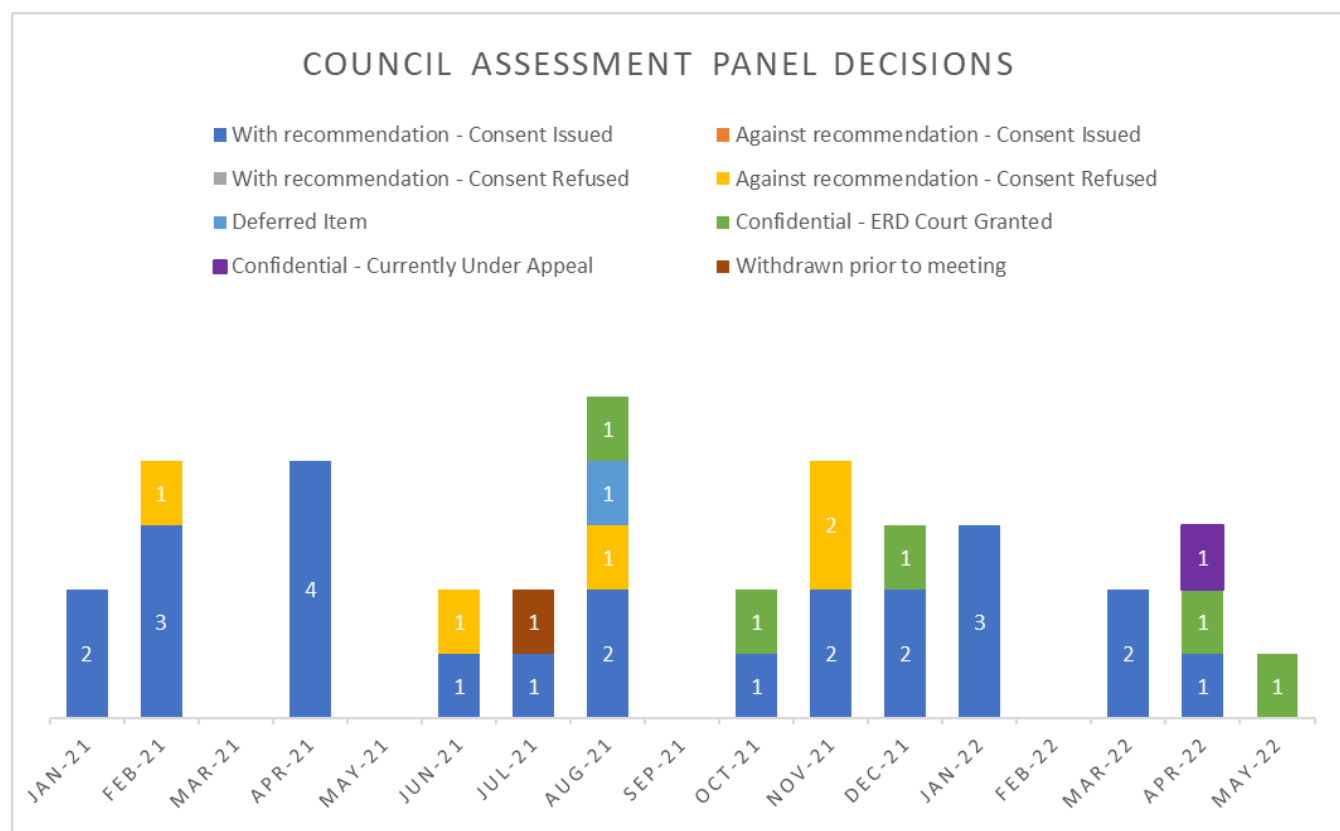
A slight increase in the number of applications placed on Notification can be attributed to a greater number of non-residential proposals and a higher number of residential applications located within the Hills Neighbourhood Zone which propose earthworks.

## Council Assessment Panel (CAP)

### Meetings and Decisions

The next CAP meeting is due to be held, Wednesday, 6 July 2022.

	Meetings	PDI Items	Dev Act Items	Applicants Heard	Representors Heard
<b>2021</b>	11	7	21	17	19
<b>2022 Jan-May</b>	5	8	2	7	3



One of the confidential items heard at the April 2022 CAP meeting is still before the ERD Court for determination. An update on ongoing appeals is below.

### Comment:

The decrease in applications being considered by the Panel is a reflection on the change in legislation, whereby only applications having undergone Public Notification which receive representations against and who wish to be heard are considered by the Panel.

## **ERD Court Appeals**

### **Appeals Against Panel Decisions**

*New Appeals - Nil*

*On-going Appeals*

<b>DA No.</b>	<b>Address</b>	<b>Appeal Lodged</b>	<b>Staff Recommendation</b>	<b>CAP Decision</b>	<b>Current Status</b>
21012619	1 & 3 Freya Avenue, Hallett Cove	10/11/2021	Approve	Refuse	Awaiting judgement - full hearing took place 9 June 2022

### **Appeals Against Delegated Applications**

*New Appeals and On-going Appeals – Nil*

### **Appeals Against Enforcement**

*New Appeals*

<b>Address</b>	<b>Appeal Lodged</b>	<b>Current Status</b>
666 Morphet Road Seaview Downs	27/04/2022	Adjourned until 8 July 2022

## **Review of Assessment Manager Decisions**

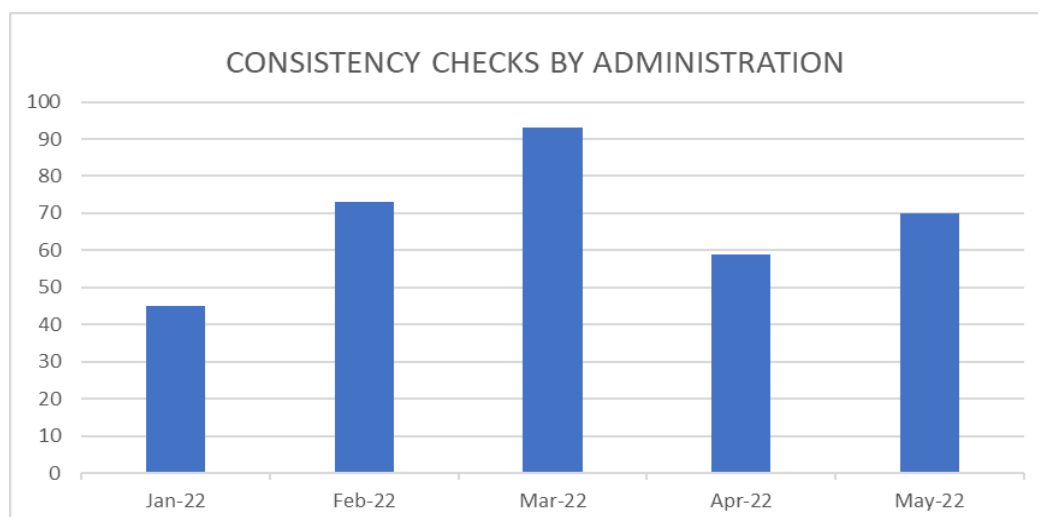
Council has not received any formal applications to review a decision by the Assessment Manager.

Two applications to review a decision of the CAP were received, however these were invalid as this process is only valid for decision by the Assessment Manager.

*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.*

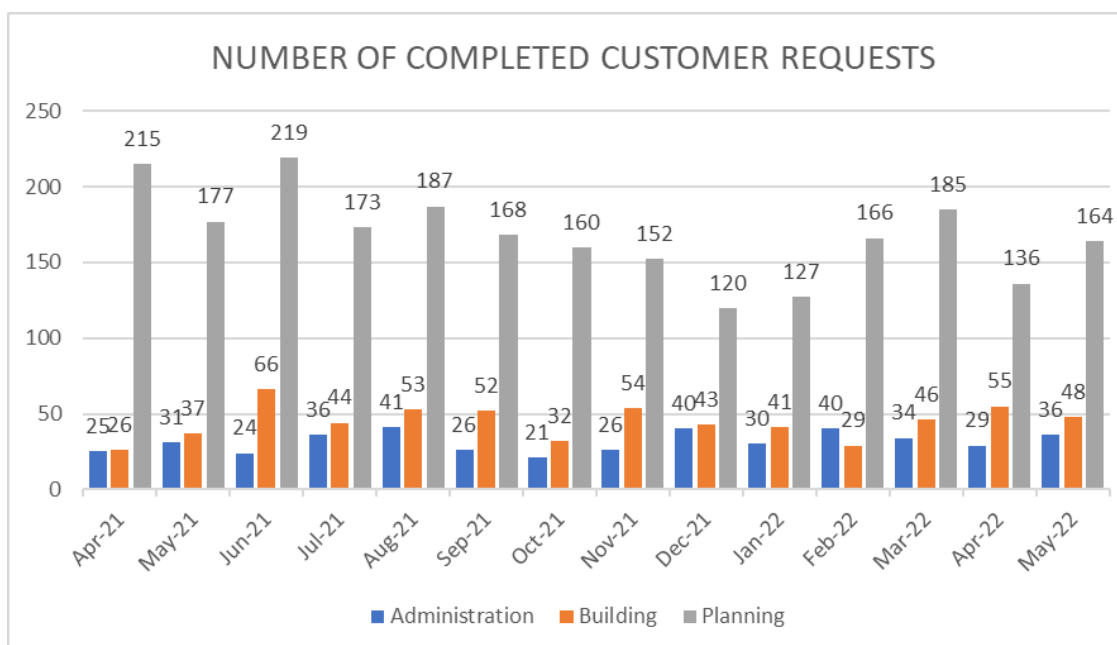
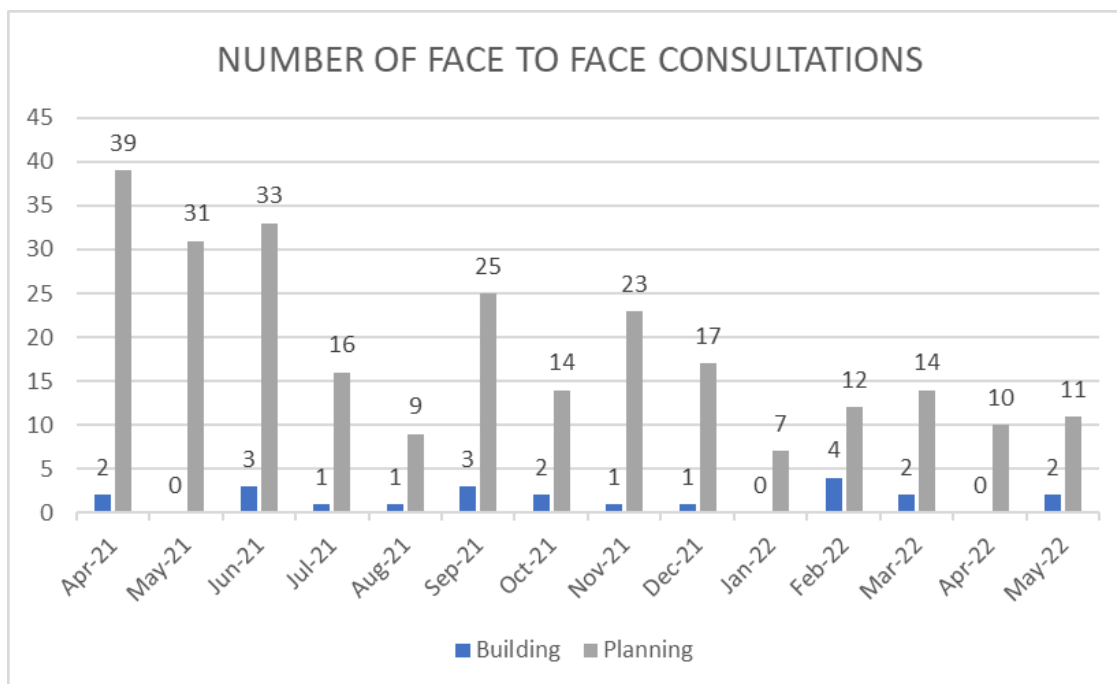
## **Consistency Checks**

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. The graph below illustrates the number of checks undertaken where full development approval has then been issued.



## 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 are also available to answer general questions, lodgements, and copies of plans enquiries.

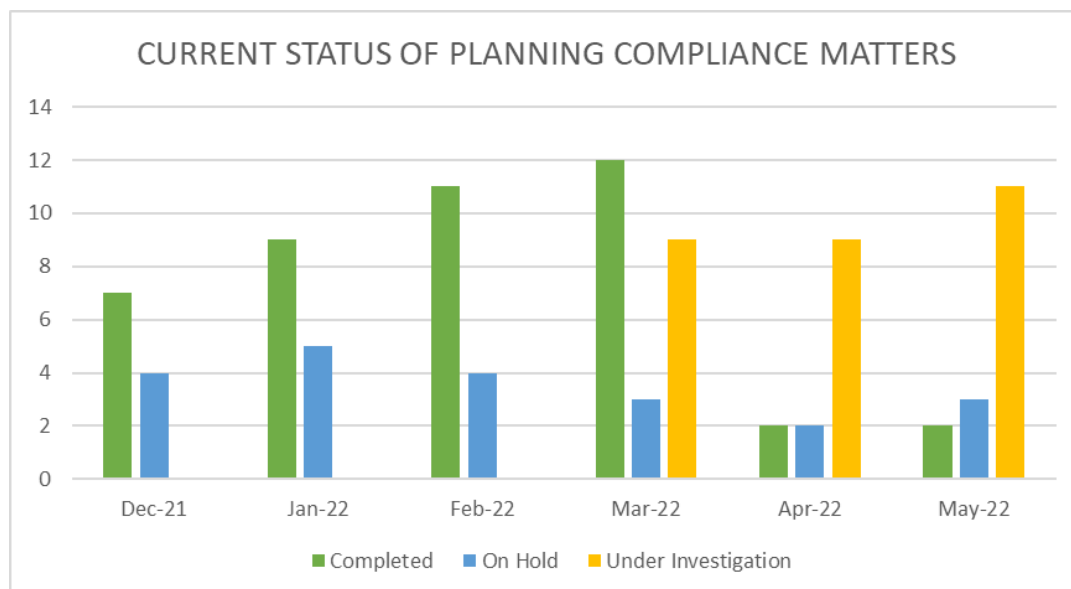


*Note: This data does not include ad-hoc enquiries, calls answered at the time of first contact or queries answered by the Customer Service Centre Team.*

### Comment:

The number of customer interactions remains high. It should be noted, whilst a number events would be simple and require the provision of limited information, others may require considerable time resources and provisions of detailed and comprehensive information.

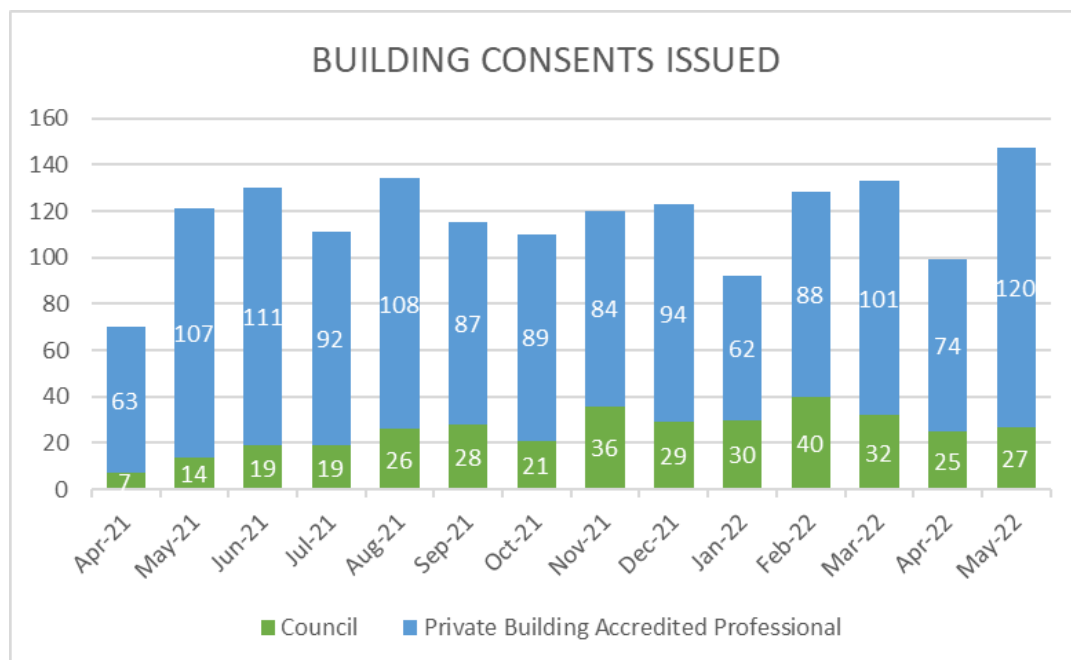
### Development compliance



#### **Comment:**

Staff are investigating opportunities for Council to increase the operational capacity of compliance resources to undertake more proactive compliance, particularly focused on the increased conditions stemming from the PDI Act including the inclusion of tree planting and rainwater tanks.

### PDI - Building Consent Decisions

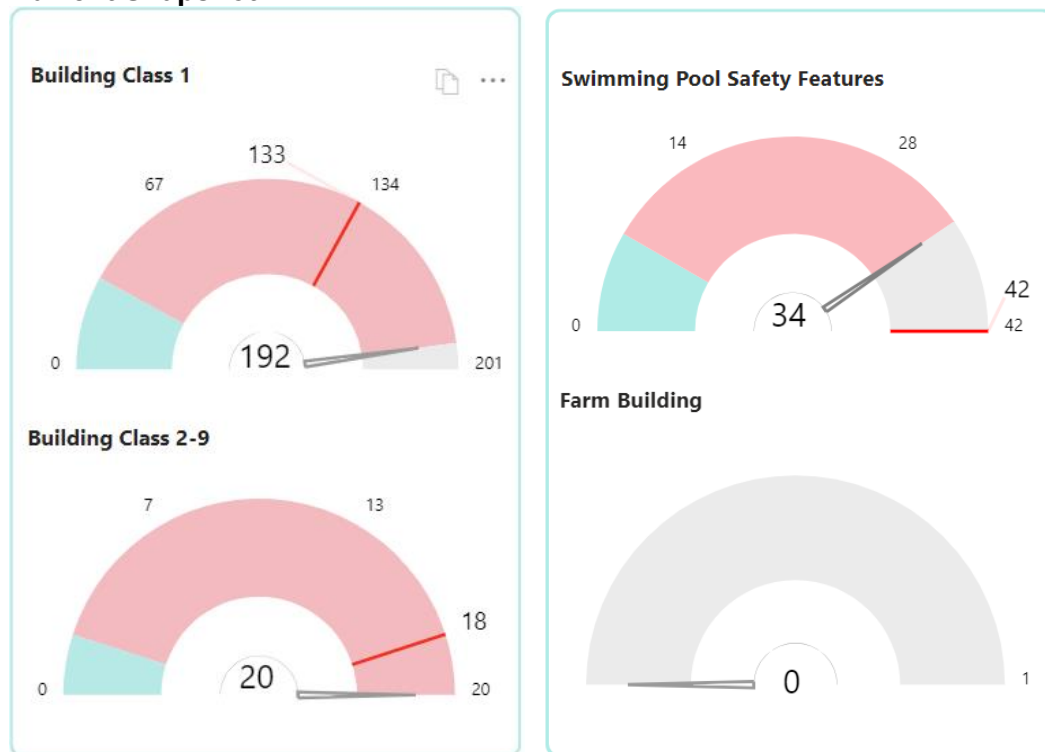


*Note: Building Rules Consents are assessed by Council or private assessors known as Private Certifiers, these privately certified assessments still need to be registered, checked and Development Approval issued by Council.*

## **Building Inspections**

The following data is taken directly from the Plan SA portal.

### **Current Snapshot**



**Notes:** The red line indicates the number of required inspections as directed by legislation and the 'needle' indicates how many inspections have been undertaken.

Swimming pools are below the required inspection rate as the image indicates the number of commencement notifications received and we inspect at completion (to ensure safety fencing meets the requirements).

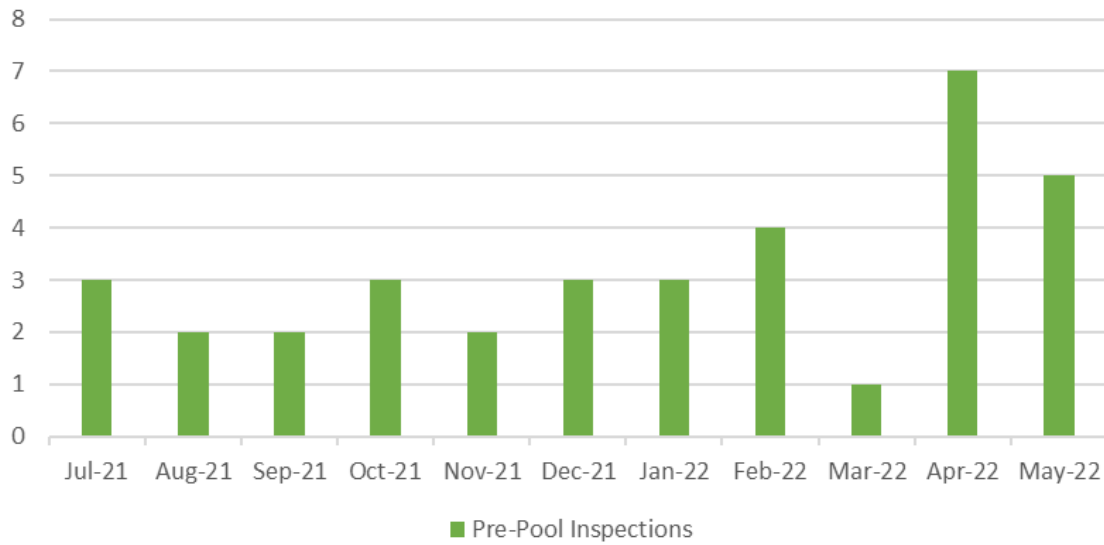
### **Comment:**

Council is required to inspect:

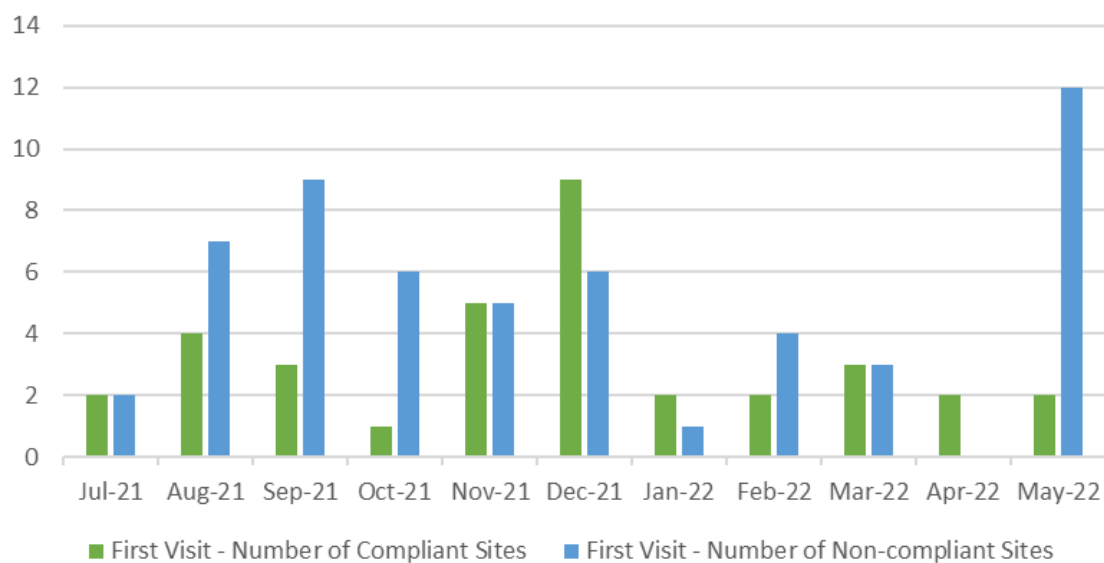
- Minimum 66% building class 1, at least once (currently 100% inspected)
- Minimum 90% building classes 2-9, at least once (currently 100% inspected)
- 100% swimming pools and pool fences, at completion (currently 100% of those completed have been inspected).

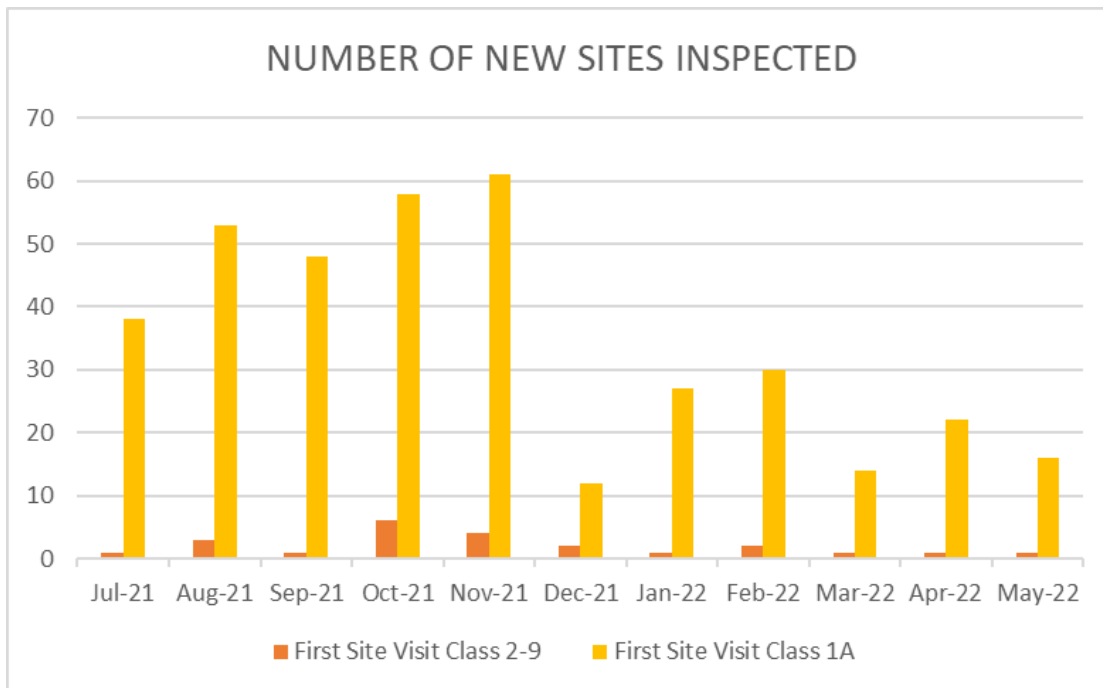
Council does not have any farm buildings to inspect, this is a fixed screen that demonstrates the limitations of the reporting and data presentation available through the Plan SA Portal.

### SWIMMING POOLS - PRE-POOL INSPECTIONS



### SWIMMING POOLS - FIRST SITE INSPECTIONS

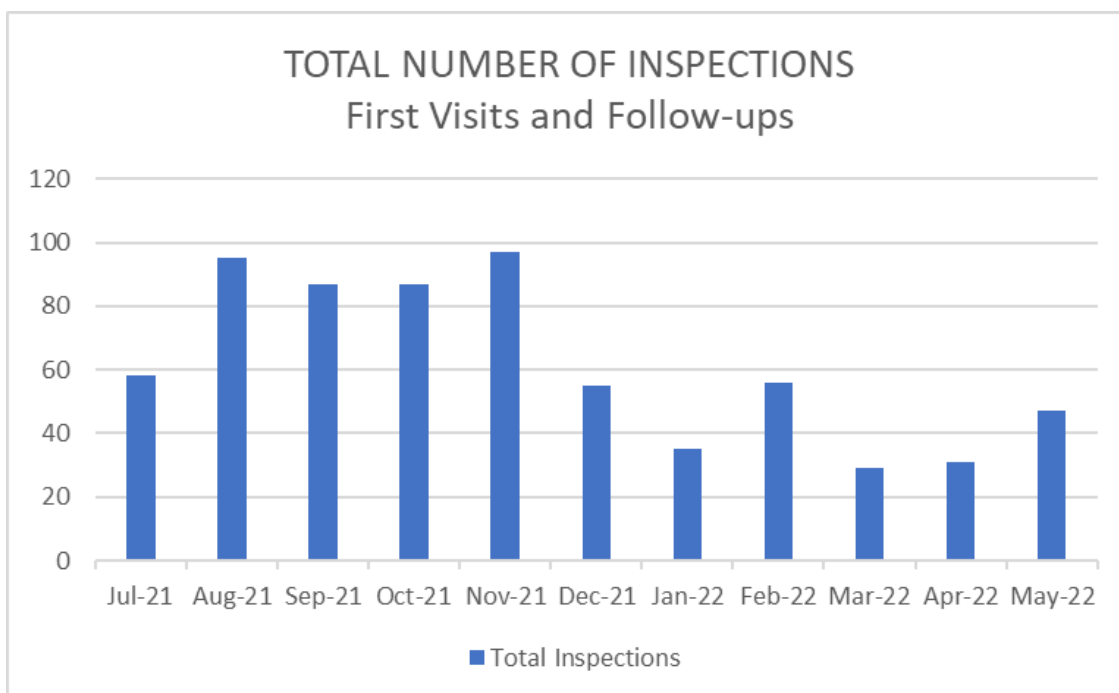




**Note:** New sites inspected does not include follow up or additional inspections made by staff and does not consider whether a site contains multiple buildings requiring inspection.

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

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



**Comment:**

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:

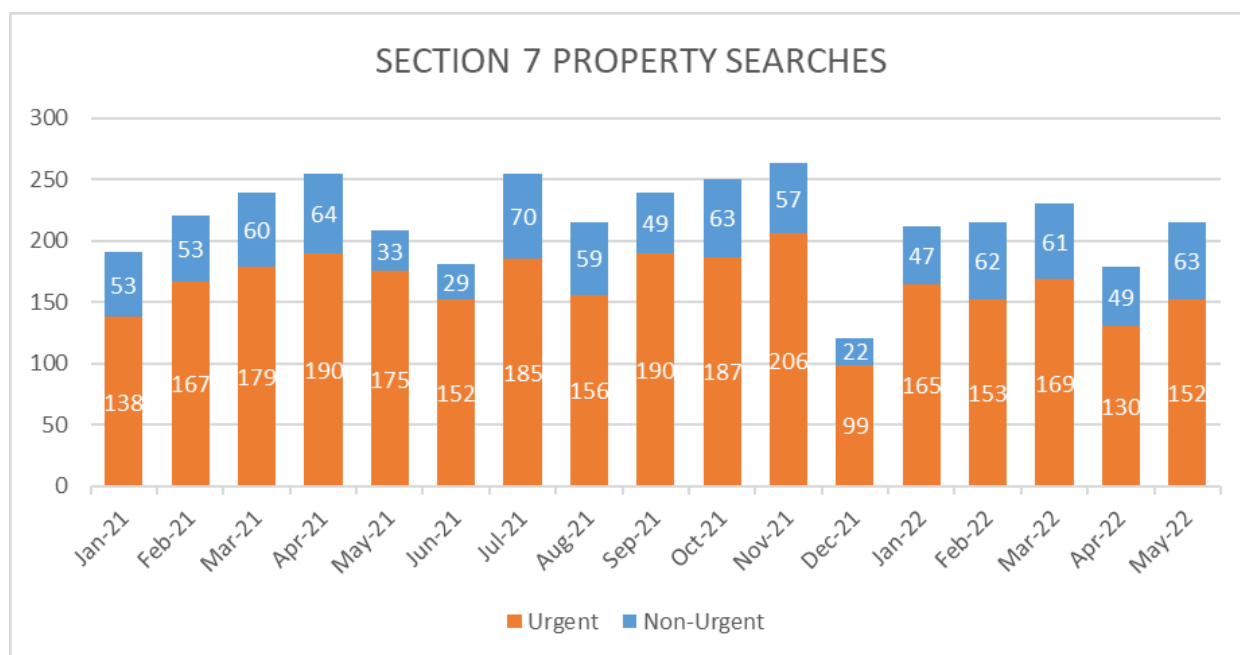
- Builders not building to the approved plan

- Minor structural deficiencies
- Fire wall deficiencies
- Storm water connection
- Inadequate documentation.

### **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.

Concerns regarding new properties not displaying all relevant information on the data extract (e.g. continuing conditions and insurance details) is being investigated by PLUS and a resolution is expected by the end of June. The cause of the data not displaying is that new Certificates of Title have been issued and the application has been approved on the now historical title e.g. where it was one property and is now two. The approval does not link to the new titles and that data is missing for these newly created addresses.



**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.

### **ATTACHMENTS**

Nil

## 8.2 Development Factsheets and Guidelines Update

<b>Report Reference</b>	PDC220705R8.2
<b>Originating Officer</b>	Acting General Manager City Development – Warwick Deller-Coombs
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	Chief Executive Officer - Tony Harrison

### REPORT HISTORY

Report Reference	Report Title
PDC220503R7.2	Development Guidelines

### REPORT OBJECTIVE

To provide the Committee with an update on the review of our publicly available development guidelines, brochures and resources.

### EXECUTIVE SUMMARY

At the 3 May 2022 Planning and Development Committee meeting, the Committee was advised of Administrations intention to replace the comprehensive set of development brochures that were available to customers under the *Development Act 1993*, with new updated factsheets reflecting the requirements of the Planning and Design Code (P&D Code).

A set of Residential Design Guidelines is also in the process of being redesigned with the intent to publish them on the CoM website once completed.

The 'Development and Street Trees' Fact Sheet is provided in Attachment 1.

### RECOMMENDATION

**That the Planning and Development Committee:**

1. **Notes the report.**

### DISCUSSION

A considerable amount of customer brochures created by staff were removed from the website when the Planning and Design (P&D) Code was implemented. Administration is going through a process to update and replace relevant fact sheets. This new design will replace the previous brochures and include information relevant to the new P&D Code requirements.

Given the importance of street trees and their contribution to urban streetscapes and the environment, the first factsheet is 'Development and Street Trees' (Attachment 1), which is aimed at ensuring residents and applicants are aware of the importance of designing to retain street trees where possible.

Administration will continue to seek feedback from relevant CoM work areas to determine what further brochures should be created.

It is intended to update the Committee and Council via email when more factsheets become available to customers.

As a more substantial document, the Residential Design Guidelines are still in the process of being updated and will be brought back to the Committee for noting at a future meeting.

## **ATTACHMENTS**

1. Development and Street Trees Factsheet [**8.2.1** - 2 pages]

# Development & Street Trees



## Why Street Trees are Important

In Marion, our community prioritise **Valuing Nature** as one of the six key themes of our Community Vision. This includes valuing the positive contributions that street trees make to our urban environment:

### Environmental Benefits

- Provide shade and lower temperatures;
- Provide habitats, food and shelter for birds and other wildlife;
- Filter the air we breathe and improve air quality by absorbing CO<sub>2</sub> and producing oxygen;
- Reduce stormwater run-off by increasing infiltration of water into the soil.

### Community Benefits

- Provides attractive natural greenery in urban areas;
- Leafy streets and yards can increase property values;
- Can improve sense of community, lower stress, improve mood and encourage us to be more active;
- Can have cultural or historical significance and are important connections to our past.

## Your Development & Street Trees

When planning to undertake a development, it is important that you identify the location of any street trees at the outset and factor this into the siting and design of your proposal.

### As a general rule:

- **Development should preserve street trees;** and
- **A minimum 2 metre clearance is required** from proposed driveway crossovers, stormwater disposal pipes and other underground services located within the Council verge, measured to the base of the street tree trunk (or greater for Regulated/Significant trees).

A proposed development which does not satisfy the above will be referred to Council's Arborist for an assessment once lodged.

If you would like to seek **preliminary advice** on a street tree prior to lodgement, you can:

**Lodge an online request** | **Call Customer Service**  
 ✓ [my.marion.sa.gov.au](https://my.marion.sa.gov.au) | OR ☎ 08 8375 6600

Please allow a timeframe of up to 10 business days.

## Development & Street Tree Process

- 1. Pre-Design:** Accurately identify the location of any street trees and factor these into your plans.  
*Optional: Seek preliminary advice from Council regarding the street trees.*
- 2. Design:** Prepare a design which considers relevant **Planning & Design Code** criteria.  
*Tip: Consider impacts on street trees on balance with providing enough on-street parking spaces and avoiding excessive driveway width.*
- 3. Lodgement:** Lodge a development application via the PlanSA portal.
- 4. Assessment:** Council's Arborist reviews any street tree conflicts and a Council Planner considers the merits of the proposed development.
- 5. Outcome:** The Planner communicates to you whether street tree removal is acceptable.

## What Happens Next?

### If Tree Removal Accepted:

- A quoted cost for removal and replacement will be advised based on **Council's Fees & Charges Schedule** (subject to change);
- Following Planning Consent, Council's Open Space team will send the applicant a letter advising of the subsequent process;
- Street tree removal will only be undertaken following full Development Approval and payment of an invoice; with replacement to follow at an appropriate time & location following construction.

*Note: Street tree removal and replacement may only be undertaken by Council.*

### If Tree Removal Not Accepted:

- A Request for Information will be sent requesting suitable amendments to the proposal.

If you disagree and cannot reach agreement by amendments or discussion with the Planner, you can:

**Write to Unit Manager Open Space Operations**  
 ✉ [council@marion.sa.gov.au](mailto:council@marion.sa.gov.au)

**City of Marion**  
**Development and Regulatory Services Division**  
 245 Sturt Road, Sturt SA 5047  
 PO Box 21, Oaklands Park SA 5046

T: (08) 8375 6685  
 F: (08) 8375 6899  
 E: [council@marion.sa.gov.au](mailto:council@marion.sa.gov.au)  
**marion.sa.gov.au**

Updated 14 June 2022

# Development & Street Trees



## Regulated or Significant Street Trees

### ① [Regulated and Significant Tree Factsheet](#)

Subject to species, proximity to certain structures, and those trees with multiple trunks:

- a **Regulated Tree** has a trunk circumference of 2 to 2.99 metres (measured 1m from natural ground level)
- a **Significant Tree** has a trunk circumference of 3 metres or more (measured 1m from natural ground level)

A proposed development adjacent to a Regulated or Significant street tree may require you to source an independent Arborist's report to provide as part of the planning application. The report should contain a detailed assessment of the potential for tree-damaging activity to be caused by the proposed development; and provide a Tree Protection Plan detailing how the tree will be managed and protected during construction. Reference to the Australian Standards (*AS 4970-2009 Protection of trees on development sites*) is essential.

#### As a general rule:

- **Development should retain and protect Regulated and Significant street trees;**
- **Encroachment within the Tree Protection Zone (TPZ) should not exceed 10%;**
- **Encroachment within the Structural Root Zone (SRZ) should not occur;**
- **Permeable paving and sensitive construction techniques** should be considered for driveways, paved areas and other works within the TPZ.

## FAQs

### What do my fees pay for?

The fees for street tree removal and replacement:

- Cover removal costs of the existing tree;
- Cover replacement costs for a new tree to be planted;
- Factor in loss of amenity value which was provided by the existing tree.

### Where does my replacement tree go?

Efforts are made to replace the removed tree in an appropriate location in front of the relevant property, following construction. If this is not possible or desirable, the tree may be planted in a suitable location nearby.

### Why do I need to wait until after Development Approval for the tree to be removed?

This is to protect you from potentially unnecessary costs and to protect against trees from being removed without good reason. Many developments do not proceed even if Planning Consent is granted. Once the invoice is paid the tree will be removed and it is non-refundable.

### Once I pay the invoice, when will the tree be removed?

Generally within 2 weeks, subject to scheduling.

## Learn More: Street Tree Policies and Resources

### [Interactive Tree Map](#)

See how many trees are in your street, how much water our trees require, future planting locations, species planted and more.

### [Tree Management Framework](#)

Read about Council's strategic direction for all trees on Council land including streets, parks and reserves. This document assists the City of Marion to guide the provision and management of these trees.

### [Urban Tree Warriors](#)

Play your part in making a positive change: register your interest to become an Urban Tree Warrior to help tend to your local street trees.



**City of Marion**  
**Development and Regulatory Services Division**  
 245 Sturt Road, Sturt SA 5047  
 PO Box 21, Oaklands Park SA 5046

T: (08) 8375 6685  
 F: (08) 8375 6899  
 E: [council@marion.sa.gov.au](mailto:council@marion.sa.gov.au)  
[marion.sa.gov.au](http://marion.sa.gov.au)

Updated 14 June 2022

### 8.3 Land Development Projects Update

<b>Report Reference</b>	PDC220705R8.3
<b>Originating Officer</b>	Acting General Manager City Development – Warwick Deller-Coombs
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	Chief Executive Officer - Tony Harrison

#### 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 will be a standing report to keep the Committee informed on the progress of each.

##### Morphettville Racecourse (Morphettville)

<b>Project value (if known)</b>	\$500 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 400 low-rise dwellings and potential infield open space activation. The remainder is in City of West Torrens.
<b>Project Update</b>	SAJC are in the final stages of appointing a builder for the project and are likely to announce this in July. SAJC have offered present a further project update to Council following appointment of a builder.

##### 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 and 1B land division was granted approval in June.</p> <p>Demolition of vacant homes in this area is due to commence imminently. Council and residents will be informed of relevant points of contact for any issues with the project.</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>CoM Staff met Surveyor General on Friday 9 June to discuss proposed suburb name changes.</p> <p>Following this meeting, City of Holdfast Bay staff will present the City of Marion's "Seacliff Heights" plan to their Elected Members on 28 June 2022 for comment.</p> <p>This comment will be supplied to the Surveyor General for consideration.</p> <p>The State opposition leader and Member for Black (David Speirs MP) sent a letter to the Surveyor General to offer support for the "Seacliff Heights" name and plan.</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>	<p>180 low-density allotments are envisaged.</p> <p>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).</p>
<b>Project Update</b>	<p>CoM has provided high level infrastructure advice eg for stormwater, civil engineering, open space, water systems and biodiversity.</p> <p>Developer is considering this advice and has</p>

	not provided any further response. The developer may lodge in July / August.
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Hills Industries (Edwardstown)

<b>Project value (if known)</b>	TBC
<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>	Vicinity Centres have placed the site for sale.
<b>Project Update</b>	TBA

**ATTACHMENTS**

Nil

## 8.4 North South Corridor Update

<b>Report Reference</b>	PDC220705R8.4
<b>Originating Officer</b>	City Activation Senior Advisor – Brett Grimm
<b>Corporate Manager</b>	Manager City Activation - Charmaine Hughes
<b>General Manager</b>	Acting General Manager City Development – Warwick Deller-Coombs

### REPORT HISTORY

<b>Report Reference</b>	<b>Report Title</b>
PDC210302R05	North South Corridor Update
PDC210405R07	North-South Corridor
PDC210803R9.1	North-South Corridor T2D Update
PDC211005R7.1	North-South Corridor T2D Update
PDC211207R8.1	North-South Corridor Update
PDC220301R8.1	North South Corridor Update

### REPORT OBJECTIVE

To provide Council with a project update for noting.

### EXECUTIVE SUMMARY

The Department for Infrastructure and Transport's Torrens to Darlington (T2D) project team has had a recent change in leadership both at Ministerial and Executive level.

As per the Ministers request, the T2D project team is currently reviewing the reference design with particular emphasis on the flyover structural components proposed for Anzac Highway and Torrens River.

Subject to modifications of the reference design, we have been informed that there will be program delays. Council staff are awaiting confirmation of the revised program schedule.

Details on the reference design are still be presented, and it is likely that re-engagement with community will take place. The project assessment report will follow the reference design.

This report provides a summary of activities and updates that occurred in March-May 2022.

### RECOMMENDATION

**That the Planning and Development Committee:**

- 1. Notes the report**

### DISCUSSION

The Torrens to Darlington (T2D) project comprises of 10.5 km of motorway which will be the state's biggest infrastructure project to date, costing an estimated \$9.9 billion.

The project is being funded 50/50 by the Federal and State Government. The project has been defined by the following stages:

### Stage 1 Southern Tunnel- Anzac Highway to Darlington

- Approximately 6 km of motorway including over 4 km of tunnel. Works will address this very congested section of South Road. This scope of works has been estimated to cost \$5.4 billion. Proposed stage 1 works are within City of Marion.

### Stage 2 River Torrens to Anzac Highway

- Approximately 4.5km of motorway combination of tunnel and grade separated motorway. This scope is estimated to cost \$4.5 billion. Stage 2 works are north of the City of Marion.

The Department has had recent changes to the leadership and governance structure of the project; new Minister for Infrastructure and Transport – Hon Tom Koutsantonis MP, recently appointed Chief Executive - Mr Jon Whelan, and Project Executive Director - Mr Wayne Buckerfield.

Subsequently the project team are working through project and program briefings with project sponsors to ensure methodology, scope and objectives are supported.

Upon request of the Minister the project team are reviewing the reference design with particular attention to the proposed flyover bridge structures located at Anzac Highway and Torrens River. We understand this process will be complete in the coming months and will likely require additional community and key stakeholder consultation on proposed alterations to the reference design.

## 1. Previous PDC Actions

PDC Action	Meeting	Status - Response
Potential health issues for tunnel workers such as silicosis	7/12/21	<b>In progress</b> CoM staff referred to DIT project team for comment. It has been noted that this information will be incorporated in the project assessment report which will provide a full report on the projects impacts.
Seek dilapidation (condition audit reports) for key Council assets- Cosgrove Hall, Clovelly Park Hall.	5/10/21	<b>In progress- timing of condition audits TBC</b> CoM requesting sites to be listed on a register for condition audits prior to any works commencing. This will be recorded in an MOU with the department.
Clarify existing contamination clusters and impacts on known contamination plumes	5/10/21	<b>Monitor- In progress</b> Details to be provided in the Project Assessment Report (PAR).
Seek clarification on impacts on adjacent residents and treatments to retain amenity both during and post construction	5/10/21	<b>Monitor - In progress</b> Details to be provided in the Project Assessment Report (PAR) and Reference Design. Subject to content in the report further information to be requested.

## 2. Land and Property

Council recently received correspondence from DIT regarding acquisition of land in Edwardstown. Given the confidentiality of the land acquisition process this material has been provided in-confidence.

The subject land has been identified to support a safe and direct linkage between Edward Street and Raglan Avenue, Edwardstown to reduce congestion.

Council has been referred the acquisition notice due to an existing Land Management Agreement that was registered as part of the Development Plan Amendment and Interim Road Infrastructure Design and Delivery deed 2018.

DIT have informed Council staff they are only in the initial phases of engaging consultants to conceptualise and consult with key stakeholders. As per the Land Management Agreement Council have an interest in the development of a road reserve and support in activating this space with future discussions on opportunities for surplus land to be explored.

Any additional property acquisition along the North South Corridor will be subject to the reference design review currently being undertaken.

### **3. Community and Business Reference Group Summary**

The project team are currently revisiting the proposed methodology of community and business engagement with ongoing briefings with Executive and Minister to confirm approach.

### **4. Local Area Traffic Management (LATM)**

The project team are currently reviewing the program for the LATM community engagement. The objective of the LATM is to respond to the reference design. Consequently the LATM has been put on hold until the reference design is finalised.

### **5. Selgar Link Road**

The Selgar Link road will have no bearing on the reference design review with all indications the southern portal Stage 1 works is not impacted by the reference design review.

Early works service relocation is due to commence third quarter of 2022. Road construction late 2022.

### **6. City Shaping Initiatives**

Staff continue to meet with the DIT project team to discuss progress on City Shaping initiatives and program methodologies. A summary of items discussed are;

- Supporting active travel by improving key local streets to make it easier to navigate neighbourhoods via walking and cycling
- developing vacant land within the corridor for new and displaced businesses
- create a safe and direct linkage between Edward St, Edwardstown, and Raglan Ave to reduce congestion
- sporting infrastructure, including revamp of Glandore Oval
- better local traffic management
- improving public transport infrastructure to support lift in patronage
- improving landscapes and amenity of sections of South Rd

More detail on Urban Design and City Shaping will be shared with the community. The project team are currently developing a communication and engagement approach.

Council staff are reviewing the alignment of initiatives with identification of precinct plans to support opportunities for alignment to Council's 4 year business plan and Long term financial plan in addition to related strategies such as City of Marion Property Asset Strategy (COMPAS). Further analysis as to alignment with the initiatives to be considered and negotiated with the project team. Scope, funding contributions, time frames, application and roles/ responsibilities are still to be determined.

### **7. Elected Member Engagement**

Council staff have sought clarification from the T2D team on timing for an Elected Member Forum project update and broader discussion on the City Shaping initiatives. This is tentatively being proposed for August 2022, subject to the project team's program methodology and endorsement from Project Executive.

## **8. Project Timelines**

The following is a summary of the project schedule that has been presented to date:

### Stage 1 Tonsley to Anzac

- Public consultation on Reference design review (tbc)
- Project Assessment Report – late 2022
- Release of final Reference Design – late 2022
- Commence demolition and prepare southern portal site compound - tbc
- Procurement and detailed design – tbc
- Construction commences late 2023 (completion to be confirmed – approximately 5 years)
- Accessible to traffic 2029 (anticipated date)

### Stage 2 Anzac to Torrens

- Approvals end 2023
- Procurement and early works tbc
- Construction commences 2026 (completion estimated 2030)

## **ATTACHMENTS**

Nil

**9 Workshop / Presentation Items****10 Other Business****11 Meeting Closure**

The meeting shall conclude on or before 9.30pm unless there is a specific motion adopted at the meeting to continue beyond that time.