

His Worship the Mayor  
Councillors  
CITY OF MARION

## NOTICE OF URBAN PLANNING COMMITTEE MEETING

Council Chamber  
245 Sturt Road, Sturt

Tuesday, 14 July 2020 at 06:30 PM

The CEO hereby gives Notice pursuant to the provisions under Section 83 of the Local Government Act 1999 that a Urban Planning Committee meeting 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 Committee Rooms is via the main entrance to the Administration Centre on Sturt Road, Sturt.



Adrian Skull  
Chief Executive Officer



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## OPEN MEETING

## KAURNA ACKNOWLEDGEMENT

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

## ELECTED MEMBERS DECLARATION (if any)

## CONFIRMATION OF MINUTES

### Confirmation of the minutes for the Urban Planning Committee Meeting held on 5 May 2020

<b>Originating Officer</b>	Development Officer - Planning - Kai Wardle
<b>Corporate Manager</b>	Manager Development and Regulatory Services - Warwick Deller-Coombs
<b>Report Reference:</b>	UPC200714R01

## RECOMMENDATION:

That the minutes of the Urban Planning Committee Meeting held on 5 May 2020 be taken as read and confirmed.

## ATTACHMENTS:

#	Attachment	Type
1	UPC200505 - Final Minutes	PDF File



## **MINUTES OF THE UPC200505 - URBAN PLANNING COMMITTEE MEETING**

**Tuesday, 05 May 2020 at 06:30 PM**



**PRESENT (Via Electronic Means)****Committee Members**

His Worship the Mayor Kris Hanna (from 7.05pm)  
 Councillor Ian Crossland (Chair)  
 Councillor Nathan Prior  
 Councillor Joseph Masika  
 Councillor Maggie Duncan

**In Attendance**

Raelene Telfer	Councillor
Sasha Mason	Councillor
Ilia Houridis	General Manager City Development
Warwick Deller-Coombs	Manager Development and Regulatory Services
Jaimie Thwaites	Unit Manager Governance and Council Support
Alex Wright	Team Leader - Planning
David Melhuish	Senior Policy Planner
Kai Wardle	Development Officer – Planning

**VENUE :** Virtual Meeting Room - Zoom

**OPEN MEETING**

Councillor - Ian Crossland opened the meeting at 06:31 PM

**KAURNA ACKNOWLEDGEMENT**

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

**ELECTED MEMBERS DECLARATION (if any)**

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

No declarations were made.

**ORDER OF AGENDA ITEMS**

The Chair sought and was granted leave of the meeting for the Adelaide Benevolent Society presentation to be the first order of business (Report Reference: UPC200505R04).

**WORKSHOP / PRESENTATION ITEMS****Presentation from the Adelaide Benevolent Society****Report Reference:** UPC200505R04

Tim Ryan and Phillip Roberts of the Adelaide Benevolent Society presented to the Committee, and responded to members' questions relating to the Society and their redevelopment intentions at the Sturt sites.

7.04pm Councillor – Joseph Masika left the meeting

7.05pm Mayor- Kris Hanna entered the meeting.

7.07pm Councillor - Joseph Masika re-entered the meeting

The Urban Planning Committee note the presentation from the Adelaide Benevolent Society.

**CONFIRMATION OF MINUTES****Confirmation of the minutes for the Urban Planning Committee Meeting held on 3 March 2020****Report Reference:** UPC200505R01**Moved Councillor - Maggie Duncan, Seconded Mayor - Kris Hanna**

That the minutes of the Urban Planning Committee Meeting held on 3 March 2020 be taken as read and confirmed.

**Carried Unanimously****BUSINESS ARISING – Nil****CONFIDENTIAL ITEMS – Nil****REPORTS FOR DISCUSSION****Planning Reforms Update****Report Reference:** UPC200505R02

Ilia Houridis and Warwick Deller-Coombs provided an update on the ongoing process of the planning reforms and responded to members' questions.

7.30pm Mayor - Kris Hanna left the meeting and did not return

**Moved Councillor – Maggie Duncan, Seconded Councillor - Nathan Prior**

*Minutes of the Urban Planning Committee Meeting held on 5 May 2020*

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That the Urban Planning Committee note this report.

**Carried Unanimously**

**REPORTS FOR NOTING**

**Development Plan Amendments Update**

**Report Reference:** UPC200505R03

**Moved Councillor - Nathan Prior, Seconded Councillor - Joseph Masika**

That the Urban Planning Committee notes this report.

**Carried Unanimously**

**Action:** The Development Plan Amendment Updates be added to the relevant Ward Briefing notes to keep Ward Members informed.

**OTHER BUSINESS – Nil**

**MEETING CLOSURE**

Meeting Declared Closed at 07:36 PM

**CONFIRMED THIS xx DAY OF xx**

.....

**CHAIRPERSON**

**BUSINESS ARISING****CONFIDENTIAL ITEMS****Cover Report - Revitalisation of the Edwardstown Employment Precinct**

<b>Originating Officer</b>	Unit Manager Economic Development - Donna Griffiths
<b>Corporate Manager</b>	Manager City Activation - Greg Salmon
<b>General Manager</b>	General Manager City Development - Ilia Houridis
<b>Report Reference</b>	UPC200714F01

**RECOMMENDATION**

***That pursuant to Section 90(2) 3(b) (i) and (ii) and 3(d) (i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Ilia Houridis, Tony Lines, Sorana Dinmore, Kate McKenzie, Greg Salmon, Donna Griffiths, Warwick Deller-Coombs and Kai Wardle, be excluded from the meeting as the Council receives and considers information relating to the Revitalisation of the Edwardstown Employment Precinct, 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 relating to matters pertaining to commercial operations of a confidential nature, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council or to confer a commercial advantage on a third party.***



## Revitalisation of the Edwardstown Employment Precinct

### CONFIDENTIAL

#### Reason For Passing This Resolution:

**Local Government Act (SA) 1999 S 90 (2) 3(d) (i) and (ii)** : commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and (ii) would, on balance, be contrary to the public interest.

**Local Government Act (SA) 1999 S 90 (2) 3(b) (i) and (ii)**: information the disclosure of which (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and (ii) would, on balance, be contrary to the public interest.

## REPORTS FOR DISCUSSION

### Planning Reforms Update - July 2020

<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 - Ilia Houridis
<b>Report Reference</b>	UPC200714R02

### REPORT OBJECTIVE

To update members of the Urban Planning Committee on the progress of the State Planning Reforms.

### EXECUTIVE SUMMARY

- DPTI is planning to implement the P&D Code to Phase 2 Councils (e.g. outer metro/rural) on 31 July 2020 and Phase 3 Councils (including CoM) in October/November 2020.
- Upon feedback from the consultation phase, DPTI has indicated they will create additional zones to better reflect existing areas within Council's. It has been identified that a Hills Neighbourhood Zone for our southern areas and an Existing Neighbourhood Zones for our existing character areas are likely to be implemented.
- DPTI has been advised of Council's aspirations for the Employment Zone in Edwardstown.
- More Centre Zones are now being considered (they were previously being amalgamated).
- DPTI have advised they will to work with Council on determining which Centre Zones should apply.

### RECOMMENDATION

**That the Urban Planning Committee note this report.**

### DISCUSSION

The State Government through DPTI and the Planning Commission have taken a three stage approach for the implementation of the new planning system.

- Phase 1 - Outback
- Phase 2 - Rural Areas
- Phase 3 - Urban Areas

#### Phase 3 Commencement

Although no definitive date has been provided for the commencement of Phase 3 (urban areas) of the Code, whilst their website states September, DPTI has advised that it is anticipated that it will occur between October and November 2020.

#### Phase 3 Planning and Design Code Policy Workshop

DPTI held a local government practitioner workshop on Phase 3 of the Code on 19 June 2020.

The workshop enabled Phase Three council planners to hear about the consultation feedback received, provide feedback to DPTI staff in relation to draft policy proposals in response to consultation, and collaborate with DPTI and other council planners about the spatial application of the draft Code framework.

Draft policy proposals discussed included:

- Neighbourhood zones
- Retail and centres
- Employment zones
- Flooding

### Additional Residential Zones within the Code

At the Code workshop DPTI revealed that two new residential zones are being considered.

Whereas previously the existing Character Areas and the southern area of Council were being considered for inclusion in the Suburban Neighbourhood Zone (each with appropriate technical and numerical variations), DPTI has decided that it would be more appropriate to create new zones (which apply to both Marion and other Council's) that better reflect the individual nature of the areas:

- Council's Character Areas (Glandore etc.) to be placed in an **"Established Neighbourhood Zone"**; and
- The southern areas of Council to be placed in a **"Hills Neighbourhood Zone"**, which better reflects the sloping nature of the land.

The detail for the two zones has yet to be created, however DPTI have commented that the existing slope and lot sizes will be translated across from the current Development Plan.

### Employment Zone

The "Employment Zone" was also discussed at the DPTI workshop.

DPTI was advised of Council's aspirations for Edwardstown and the need for the zone to be flexible enough to provide the opportunity for the types of future uses anticipated. DPTI staff appeared comfortable with the proposal but this is yet to result in any concrete responses.

### Status of Council's Submission on the Code (*major issues*)

Submission Issue No.	Issue Description	CoM Submission	Current status (DPTI)
2	<b>Marion Plains Policy Area</b>  <b>Draft PD Code:</b> Rezone to General Neighbourhood Zone	Rezone to Suburban Neighbourhood Zone with TNV for site dimensions to reflect existing policy requirements.	Likely to remain in General Neighbourhood Zone.

17	<b>Urban Corridor (Marion Road)</b>  <b>Draft PD Code:</b> Rezone to Residential Zones (various)	Rezone to Urban Corridor Zone.	Unlikely to change due to not being adopted as part of the Housing Diversity DPA and not initially proposed in the Code.
7	<b>Southern Areas of Council</b>  <b>Draft PD Code:</b> Rezone to General Neighbourhood Zone  (Revised) Rezone to Suburban Neighbourhood Zone with TNV	Keep existing Policy Areas other than changes proposed by Housing Diversity DPA.	To be rezoned to Hills Neighbourhood Zone.  <i>Likely to reflect existing dimensions and provide additional policy relating to sloping nature of land.</i>  Detail yet to be created / advised.
18	<b>Car Parking</b>  <b>Draft PD Code:</b> Reduction in on-site and on-street requirements	Seek amendment to reflect current requirements.	Been logged in the issues register and is a theme lead decision across phase 3 Councils.  Car parking rates unlikely to change.
19	<b>Urban Design Standards (Residential Design)</b>	The Code significantly reduces the existing localized design criteria found within specific Policy Area Desired Characters and Principles of Development Control.	DPTI have commented that there is enough design standards in the new Code.  Local Design Review Scheme released for consultation.
Gen. Issue	<b>What constitutes a 'Minor Variation'</b>	It is unclear what constitutes a 'minor' variation. Is being interpreted differently.	Been logged in the issues register.

8	<b>Castle Plaza:</b>  <b>Draft PD Code:</b> <ul style="list-style-type: none"> <li>· Mixed Use Zone (no precinct) to Suburban Activity Centre Zone</li> <li>· Mixed Use (PA 12 Castle Plaza Environmental Assessment Area) to Suburban Main Street Zone</li> <li>· Mixed Use (PA 13 Limited Residential Development) to Suburban Business and Innovation Zone</li> </ul>	Proposed zones do not provide same level of detail and do not appropriately reflect the desired outcomes for the existing zone.	Proposed zoning being further considered.
6	<b>Dwelling site exclusivity definitions issue</b>	A 'dwelling' is not listed in the 'Class of Development' tables for DTS and 'DPF or as an anticipated form of development in many zones Many zones within the Code do not provide criteria in which to assess a 'dwelling' in terms of site area and dimensions.	Issue resolved in Phase 2 of Code, which will carry through to Phase 3.
20	<b>Character Area Statements</b>  <b>Draft PD Code:</b> Character Area Statements generally not included within the Code (except for Character Areas)	Inclusion of existing detailed Principles and Policies and relevant sections of Desired Character to be included within Character Area Statements.	Character Area Statements to be kept for Character Areas but not for other Zones. Inclusion of detailed Principles and Policies within the Code, by way of sub-zone or Technical & Numerical Overlay which contains design requirements, considered adequate.
21	<b>Flooding Overlay</b>  <b>Draft PD Code:</b> Information included relating to flooding (including Hazards Overlay)	Inclusion of existing detailed flood data to be included in Code.	Council has provided DPTI with flood study information for consideration for inclusion into the Code.  DPTI to discuss further with Council's given complexity of issues.

## Electronic version of Code

A pre-release version of the ePlanning system for Phase 2 of the Planning & Design Code has been made available for viewing from 29 June. Whilst only providing zone information for Phase 2 Council's (i.e. rural and some regional) it does provide Council and the community at large an opportunity to gain an understanding of how the system works and enables some limited staff testing and training.

## Council assistance with ePlanning testing

A Development Services staff member has been attending the DPTI office to assist with the program of ePlanning testing and Code development.

This is seen as mutually beneficial as it provides the CoM a unique insight and opportunity to inform and influence the finalisation of the system and Code policy. Internally, several Council staff have commenced testing of the ePlanning system and will provide feedback to DPTI on an ongoing basis.

## Local Design Review Scheme

On 26 June 2020 DPTI uploaded the Local Design Review Scheme for consultation.

After an initial view of the documents Council staff believe this could be a useful tool in the assessment process.

Feedback on the scheme is due to be provided to the Office for Design and Architecture SA (ODASA) by 21 August 2020.

*A copy of the two documents provided are attached.*

## Demonstration of the Phase 2 Planning and Design Code

The Phase 2 Planning and Design Code is available for members of the public to view and 'test' by going here: <https://code.plan.sa.gov.au/>

Should UPC members desire, staff will be available to give a brief demonstration of the page.

## Attachment

#	Attachment	Type
1	Local_Design_Review_Scheme_-_Consultation_Guide	PDF File
2	Local_Design_Review_Scheme_-_draft_for_consultation	PDF File

# Local Design Review Scheme for South Australia

→ OUR  
NEW  
SYSTEM

Consultation Guide

June 2020



**Government of South Australia**

Department of Planning,  
Transport and Infrastructure

**OFFICE FOR  
DESIGN+  
ARCHITECTURE SA**

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*Design Review is a pre-lodgement service that supports high-quality design outcomes, improves access to independent design expertise and assists with informed decision-making during development assessment.*



## Introduction

Design quality of the built environment not only relates to the ‘look and feel’ of buildings and places, but how successfully they meet the needs of the people who use and experience them. High-quality design helps to make buildings and places better for people, our environment and economy.

The *Planning, Development and Infrastructure Act 2016* (PDI Act) enables South Australia’s new planning system to place greater emphasis on high-quality design. One of the ways it will do this is by creating more opportunities to participate in Design Review under a new Local Design Review Scheme (the Scheme).

This draft Scheme sets out consistent procedural requirements for councils who wish to provide Local Design Review within their communities, as well as independent Design Review providers.

The Office for Design and Architecture South Australia (ODASA) has prepared the draft Scheme on behalf of the Minister for Planning in collaboration with the State Planning Commission, council staff from across the State and peak industry bodies who might provide Local Design Review.

Feedback on the draft Scheme is now being sought from councils, industry professionals and any other interested parties. It is envisaged the Local Design Review Scheme will come into operation with the Phase Three Planning and Design Code.

This consultation guide provides additional background information for the draft Local Design Review Scheme.

## Design Review

Design Review is an independent evaluation process where a panel of built environment experts review the design quality of a development proposal before it is lodged for assessment.

The role of Design Review is not to redesign proposals, but rather to identify and discuss opportunities to encourage high-quality design.

Design Review provides the opportunity for proponents to obtain independent design advice from the panel. The design advice is a summary of the Design Review session and is provided to the proponent to assist with design development.

The design advice is also provided to the relevant authority for consideration during development assessment.

The benefits of Design Review include:

- supporting high-quality design
- improving access to independent and expert design advice early in the planning and design process
- supporting consistent and informed planning decisions
- facilitating collaboration between allied professionals that can positively contribute to professional development



Design discussion  
Image by Sam Noonan

## Design Review in South Australia

State Design Review has operated successfully in South Australia since 2011 and is currently available to larger-scale development proposals assessed by the State Commission Assessment Panel (SCAP) and referred to the South Australian Government Architect, including:

- developments with a value of \$10 million or more within the City of Adelaide
- developments with a value of \$3 million or more in Port Adelaide Regional Centre Zone (City of Port Adelaide Enfield)
- developments of five storeys or more in the:
  - » Inner Metropolitan Adelaide Urban Corridor Zones
  - » District Centre (Norwood) Zone (City of Norwood Payneham & St Peters)
  - » District Centre (Jetty Road) Zone and Residential High Density Zone (City of Holdfast Bay)

State Design Review will continue to be available for these projects in the new planning system.

For more information about State Design Review, please visit the ODASA website ([odasa.sa.gov.au](http://odasa.sa.gov.au)).



SA State Design Review session  
Image by Sam Noonan



## Local Design Review

Councils across South Australia are increasingly offering design advisory services to proponents in varying formats. The draft Scheme is designed to establish a consistent approach to delivering Local Design Review that will support council staff, private sector professionals and proponents.

Local Design Review under the Scheme will be:

- optional for councils to make available
- available to classes of development that are specified in the Planning and Design Code before they are lodged for assessment
- voluntary for proponents
- advisory

The PDI Act requires that any design advice provided by a design panel under the Local Design Review Scheme must be considered by the relevant authority during development assessment.

If a proponent chooses not to participate in Local Design Review, no design advice will be provided to the proponent or the relevant authority.

The diagram on the opposite page illustrates how Local Design Review will operate within the context of South Australia's planning process.

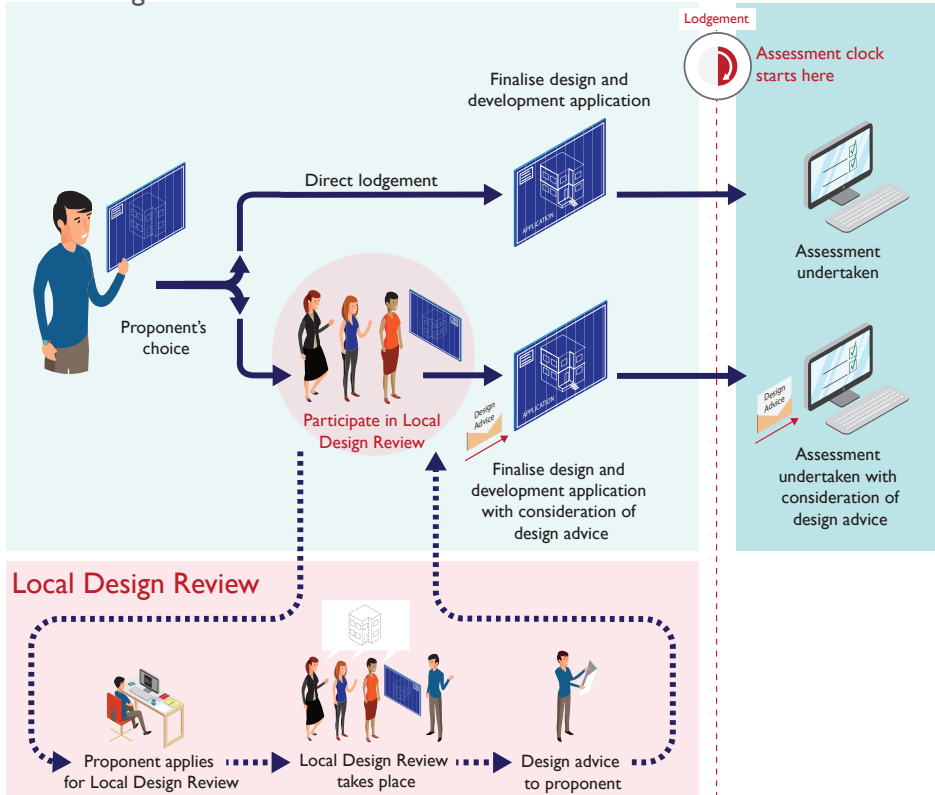


Design Review  
Image by Sam Noonan

## Local Design Review within the planning process

### Before lodgement

### Assessment



## Features of the Local Design Review Scheme

### Availability of Local Design Review (section 2.1 of the draft Scheme)

All councils in South Australia will have a choice whether or not to make Local Design Review available in their area. If so, the council will need to work with the State Planning Commission to specify the eligible classes of development in the Planning and Design Code (the Code). The classes of development may be identified spatially (via an Overlay) and/or by certain criteria, such as building height or development that affects a heritage place.

The process for including the eligible classes of development within the Code is currently being considered by the State Planning Commission and the Department of Planning, Transport and Infrastructure (DPTI). Views on this are encouraged during consultation.

### Provision of Local Design Review (section 2.2 of the draft Scheme)

The draft Scheme provides councils with flexibility for providing Local Design Review in their area:

1. a council may establish their own design panel; or
2. a group of councils may establish a joint design panel; or
3. a council may procure a design panel from an independent provider on an 'as needs' basis.

This flexibility is designed to provide councils with options when considering the availability of Local Design Review.

### Registration to carry out Local Design Review (section 2.3 of the draft Scheme)

Registration under the draft Scheme would be required by those councils or independent providers who will establish their own design panel to carry out Local Design Review.

The diagram on the opposite page summarises the options for councils in relation to Local Design Review under the draft Scheme.

## Options for council registration

Availability	Provision	Registration
<p>Council decides to make Local Design Review available in their area.</p> <p><i>Council will need to work with the State Planning Commission to specify the eligible classes of development and include them within the Planning and Design Code.</i></p>	<p>▶ Council decides to establish their own Local Design Review panel.</p>	<p>▶ YES</p>
	<p>▶ A group of councils decide to establish a joint Local Design Review panel.</p>	
	<p>▶ Council decides not to establish their own Local Design Review panel.</p>	<p>▶ NO</p>
	<p>▶ <i>Council will need to engage an independent provider if an application for Local Design Review is made.</i></p>	
<p>Council decides not to make Local Design Review available in their area.</p>	<p>-----▶</p>	

## Features of the Local Design Review Scheme

### Panel member selection process (section 2.5 of the draft Scheme)

All independent providers and any councils who choose to establish their own or a joint Local Design Review panel will need to recruit panel members. The draft Scheme sets out the competencies in relation to the qualification and experience requirements for panel members.

### Training (section 2.7 of the draft Scheme)

All panel members must complete an induction program that is in accordance with guidelines provided by the South Australian Government Architect before they can be involved in Local Design Review under the Scheme.

The induction program guidelines will be set out in guidance material once the Scheme is finalised.

### Applying for Local Design Review (section 3.1 of the draft Scheme)

A proponent who wishes to participate in Local Design Review must apply to the council before lodging their development application for assessment. The PDI Act requires that a council must accept an application for Local Design Review if it is for a class of development that is specified in the Code.

### Undertaking Local Design Review (Part 4 of the draft Scheme)

The specific roles and responsibilities for individuals involved in a Local Design Review session are identified in the draft Scheme.

### Preparing design advice (Part 5 of the draft Scheme)

The draft Scheme sets out the process for preparing design advice and providing it to the proponent in a timely manner. It is intended that design advice is provided to the proponent within 10 business days after a Local Design Review session takes place.

A standardised template for drafting design advice will be included in guidance material once the Scheme is finalised.

### Data collection and sharing (section 6.1 of the draft Scheme)

Every registered council or independent body will be required to collect data on all projects that undergo Local Design Review. It is envisaged that the South Australian Government Architect will use this data to prepare a report on Local Design Review.



### Complaint management (section 6.4 of the draft Scheme)

A proponent who participates in Local Design Review may lodge a complaint in relation to a process or outcome under the Scheme. The complaint must be lodged with the council or independent provider who will have the primary opportunity to manage and resolve the matter.

### Code of conduct (Part 7 of the draft Scheme)

All persons or bodies who operate under the Scheme will be subject to a statutory duty outlined in Section 15 of the PDI Act.

A council or independent body registered under the Scheme may prepare additional code of conduct requirements that must be read in conjunction with the requirements under the PDI Act.

### Guidance material

The finalised Local Design Review Scheme will be accompanied by a guide that will be designed to support councils and independent providers who register to carry out Local Design Review. The guide will provide centralised and up-to-date information, advice and tools that may offer assistance with:

- design panel member recruitment
- training and induction requirements
- preparing for a successful Design Review session
- drafting design advice (including any templates)
- data collection
- any other useful information

The guide will be produced and maintained by ODASA.

## Have your say

The draft Local Design Review Scheme is available for public comment until Friday 21 August 2020.

Feedback received will help to finalise the Local Design Review Scheme for South Australia.

Please ensure you provide your feedback on the draft Scheme through any of the following channels:

- **Email:** [DPTI.ODASAcconsultation@sa.gov.au](mailto:DPTI.ODASAcconsultation@sa.gov.au)
- **Online:** [yoursay.sa.gov.au/local-design-review-scheme](https://yoursay.sa.gov.au/local-design-review-scheme)
- **Post:** ODASA Consultation, 28 Leigh Street, Adelaide SA 5000

If you would like to speak with someone about Local Design Review, please contact the Office for Design and Architecture South Australia (ODASA) on 8402 1884 during business hours (9am – 5pm, weekdays).

For more information about South Australia's new planning system, please visit the SA Planning Portal ([saplanningportal.sa.gov.au](https://saplanningportal.sa.gov.au)).



**Government of South Australia**

Department of Planning,  
Transport and Infrastructure

**OFFICE FOR  
DESIGN +  
ARCHITECTURE** SA

# Local Design Review Scheme for South Australia

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→ OUR  
NEW  
SYSTEM

Draft for Consultation

June 2020



**Government of South Australia**

Department of Planning,  
Transport and Infrastructure

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Feedback on the draft Scheme is now being sought from councils, industry professionals and any other interested parties. It is envisaged the Local Design Review Scheme will come into operation with the Phase Three Planning and Design Code.

A consultation guide has been prepared to provide additional background information for the draft Local Design Review Scheme.

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# I. Introduction

## I.1. Legislative Context

Section 121 of the *Planning, Development and Infrastructure Act 2016* (the **Act**) enables the Minister for Planning (the **Minister**) to establish a design review scheme (the **Scheme**), where a person who is considering undertaking types of development specified in the Planning and Design Code may apply to a design panel for design advice.

It is intended that design review under this Scheme be available to development proposals that will be assessed by local relevant authorities in South Australia.

## I.2. Design Review

Design Review is an independent evaluation process where a panel of built environment experts (a **design panel**) review the design quality of a development proposal before it is lodged for assessment. Design Review is most effective when undertaken early in the planning and design process to effect positive change during design development. Proponents are typically encouraged to participate in more than one Design Review session.

The role of Design Review is not to redesign development proposals, but rather to identify and discuss opportunities to encourage high-quality design. In particular, Design Review provides the opportunity to obtain advice (**design advice**) in relation to:

- a) the form or content of a proposed development;
- b) how the proposed development might be changed or improved;
- c) other relevant matters that may assist with the assessment of the development; and/or
- d) other matters that may be relevant to the design of the proposed development.

The design advice is a summary of the Design Review session and is provided to the proponent to assist with design development. The design advice is also provided to the relevant authority when the development application is lodged so that it may be subsequently used for the purposes of development assessment.

The Act requires that any design advice provided by a design panel under this Scheme must be taken into account by the relevant authority when it is undertaking its assessment of the relevant development (insofar as may be relevant to the assessment of the proposed development by the relevant authority).



### I.3. Principles of Design Review

It is important that Design Review is carried out using a robust process and that it offers consistently high standards in the quality of advice. Design Review under this Scheme is informed by the following Principles of Design Review:

- a) **Independent**  
Design Review should be conducted by people who are not connected with the proponent or decision-makers so as to avoid any conflicts of interest.
- b) **Expert**  
Design Review should be carried out by appropriately experienced design experts who have training in delivering constructive feedback. Design advice is most effective when carried out by the professional peers of project designers.
- c) **Multidisciplinary**  
Design Review should combine the perspectives of architects, landscape architects, urban designers and other specialist experts to provide a complete and rounded assessment.
- d) **Accountable**  
A design panel and its advice should be clearly seen to be supporting the public's interest.
- e) **Transparent**  
Information about Design Review, panel membership, funding and governance should be available to the public.
- f) **Timely**  
Design Review should take place as early in the design process as possible so as to effect positive change during design development and to avoid reworking.
- g) **Advisory**  
A design panel should not make decisions or give direction; it offers impartial advice and recommendations to the panel Chair and to the proponent.
- h) **Objective**  
Design Review should appraise development proposals according to reasoned and objective principles, rather than stylistic tastes or subjective opinion.
- i) **Accessible**  
The recommendations arising from Design Review should be expressed in terms that design teams, decision-makers and proponents can clearly understand and apply.

## I.4. Principles of Good Design

Design Review under this Scheme and the resulting design advice must be guided by South Australia's *Principles of Good Design* as published in the *design quality policy* under section 59 of the Act.

The Principles of Good Design are:

- a) **Context**  
Good design is contextual because it responds to the surrounding environment, and contributes to the existing quality and future character of a place.
- b) **Inclusive**  
Good design is inclusive and universal because it creates places for everyone to use and enjoy, by optimising social opportunity and equitable access.
- c) **Durable**  
Good design is durable because it creates buildings and places that are fit for purpose, adaptable and long-lasting.
- d) **Value**  
Good design adds value by creating desirable places that promote community and local investment, as well as enhancing social and cultural value.
- e) **Performance**  
Good design performs well because it realises the project's potential for the benefit of all users and the broader community.
- f) **Sustainable**  
Good design is sustainable because it is environmentally responsible and supports long-term economic productivity, health and wellbeing.

## 1.5. Objects of the Scheme

The objects of this Scheme are to—

1. Support development that demonstrates high-quality design.
2. Improve access to independent and expert design advice early in the planning and design process.
3. Support consistent and informed planning decisions.
4. Support South Australia's planning system meet the objects of the Act in section 12, including to—
  - a) support and enhance the State's liveability and prosperity in ways that are ecologically sustainable and meet the needs and expectations, and reflect the diversity, of the State's communities by creating an effective, efficient and enabling planning system;
  - b) promote certainty for people and bodies proposing to undertake development while at the same time providing scope for innovation; and
  - c) promote high standards for the built environment through an emphasis on design quality in policies, processes and practices, including by providing for policies and principles that support or promote universal design for the benefit of people with differing needs and capabilities.
5. Demonstrate practical application of the *Principles of Good Planning* identified in section 14 of the Act, particularly—
  - a) high-quality design;
  - b) activation and liveability; and
  - c) sustainability.

## 1.6. Operation

This Scheme will come into operation on [date to be determined].

## 1.7. Interpretations

In this Scheme, unless the contrary intention appears—

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

**applicant** means a proponent who has submitted an application for design review under this Scheme;

**Chief Executive** means the Chief Executive of the Department of Planning, Transport and Infrastructure;

**code** of conduct means the code of conduct referred to in Part 7 of this Scheme;

**Commission** means the State Planning Commission;

**constituent council** means a council that has obtained, or that is a member of a group of councils that have obtained, the registration as a Local Design Review Administrator under this Scheme;

**council** means a council constituted under the *Local Government Act 1999*;

**Department** means the Department of Planning, Transport and Infrastructure;

**design panel** means one or more design panel members (including the panel Chair) selected for a design review session;

**design review** session means the design review of a proposed development;

**designated entity** means a Local Design Review Administrator or Independent Design Review Administrator;

**Government Architect** means the South Australian Government Architect;

**Independent Design Review Administrator** means the person or body recognised by the Department to administer design review under this Scheme;

**Local Design Review Administrator** means the council or group of councils recognised by the Department to administer design review under this Scheme;

**Minister** means Minister for Planning;

**panel Chair** means the Chair of a design panel;

**panel member** means a member of a design panel (including the panel Chair);

**panel member pool** means one or more pre-qualified panel members from which a design panel is selected;

**proponent** means a person, persons or body considering the undertaking of development;

**registered architect** means a person who is registered as an architect under the *Architectural Practice Act 2009*;

**relevant authority** means any relevant authority under section 82 of the Act.

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

## 2. Establishing Design Review

### 2.1. Development to which this Scheme will apply

Design review under this Scheme will be available to any class of development specified by the Planning and Design Code.

### 2.2. Relevant Designated Entity

If a council determines to make design review available in its area by participating in this Scheme, design review in its area will be carried out—

- (a) if the council is a constituent council – by a design panel supplied by the constituent council's Local Design Review Administrator; or
- (b) in any other case – by an Independent Design Review Administrator in accordance with the provisions of this Scheme.

### 2.3. Registration as a Designated Entity

1. The Chief Executive Officer of a council, or a group of two or more Chief Executive Officers of councils, may seek registration as a Local Design Review Administrator for the purposes of this Scheme.
2. A person, body or any other appropriate entity, including a professional association, or a group of two or more professional organisations, may seek registration as an Independent Design Review Administrator for the purposes of this Scheme.
3. An application for registration as a designated entity must—
  - a) be made to the Chief Executive; and
  - b) be in the approved form determined by the Chief Executive; and
  - c) include any information specified in the approved form; and
  - d) be accompanied by any registration fee under the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*.
4. The Chief Executive may, as the Chief Executive thinks fit, accept or refuse any application for registration as a designated entity under this Scheme.
5. Registration under this Scheme will be for a period of 3 years and may be renewed by the Chief Executive from time to time on a new application for registration under this Scheme.
6. The Chief Executive must ensure that a record of current designated entities and their panel members is maintained on the SA planning portal.

## 2.4. Design Panel Membership

1. Each designated entity may establish one panel member pool under this Scheme.
2. All persons within a panel member pool established by a Local Design Review Administrator must be independent from the council and any relevant authority appointed by that council.
3. Each design panel must have a panel Chair.
4. Where a design panel is made up of one person, this person will be taken to be the panel Chair.
5. Where the proposed development includes built form, the panel Chair must be a registered architect.

## 2.5. Design Panel Selection Process

1. The panel member selection process for any designated entity must be advertised publicly, including on the SA planning portal, for a minimum of 15 business days.
2. All panel members and Chairs must have at least—
  - a) a tertiary degree in a relevant field, such as—
    - i. Architecture;
    - ii. Ecologically Sustainable Design;
    - iii. Landscape Architecture;
    - iv. Urban Design; and
  - b) 10 years of professional experience relating to that field.
3. The designated entity must be satisfied that—
  - a) in addition to the competencies in section 2.5.2, a successful panel member is highly experienced within their field; and
  - b) the panel member pool provides a sufficient representation of the expert skills required for design review; and
  - c) panel Chairs can fulfil the responsibilities outlined in Part 4.3 to a high standard.
4. The designated entity must provide the names of the successful applicant(s) to the Chief Executive within 10 business days of the applicant(s) being notified of the outcome of their application(s).

## 2.6. Engagement of Panel Members

1. The designated entity must provide each panel member with a contractual agreement.
2. A contractual agreement provided under this section must be accompanied by a copy of the code of conduct requirements under Part 7 of this Scheme.
3. The designated entity must ensure contracts for panel members are current and valid.

## 2.7. Induction of Panel Members

All panel members must complete an induction program prepared in accordance with the Government Architect guidelines prior to being involved in design review under this Scheme.

## 2.8. Administrative Requirements

A designated entity must have sufficient resources to meet the requirements outlined in this Scheme.



## 3. Preparing for Design Review

### 3.1. Documentation

1. The Chief Executive must ensure that the information required from a proponent to apply for design review under this Scheme is published on the SA planning portal.
2. The Chief Executive must ensure that the application form for design review under this Scheme is published on the SA planning portal.

### 3.2. Application Process

1. A proponent who is seeking to participate in design review under this Scheme must apply to the council before lodging their development application with the relevant authority.
2. The application must—
  - a) be in the form approved by the Commission; and
  - b) include any information specified in the approved form; and
  - c) be lodged via the method outlined in the approved form; and
  - d) be accompanied by any relevant fee prescribed by the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*.
3. The council may require an applicant—
  - a) to provide such additional documents or information as may be reasonably required to assess the application; and
  - b) to remedy any defect or deficiency in any application or accompanying document or information required under this Scheme.
4. If an application for design review under this Scheme is made in relation to a class of development specified in the Planning and Design Code, the council must approve the application for design review.
5. If the council is not a constituent council, the council must forward the application and accompanying information to an Independent Design Review Administrator, taking into account the kind of development to which the application relates, and request that they supply a design panel.
6. After receiving a request for a design panel from a council, the Independent Design Review Administrator must take all reasonable steps to establish a design panel for the council within 5 business days.

## 4. Undertaking Design Review

### 4.1. Role of the Designated Entity

A designated entity must, on receiving a valid application for design review under this Scheme—

- a) establish a suitable design panel for the design review session from their panel member pool; and
- b) coordinate panel member and Chair attendance (and panel members and Chairs should, so far as reasonably practicable, be the same persons when undertaking multiple reviews for the same project); and
- c) assist panel members and Chairs to identify any conflicts of interest and maintaining a register of any such conflicts; and
- d) coordinate proponents and other stakeholder attendance; and
- e) coordinate and distribute design review session agendas; and
- f) prepare and provide the design panel briefing prior to the design review session; and
- g) coordinate preparation of the design review venue; and
- h) assist the panel Chair to minute the discussion from the design review session.

### 4.2. Role of the Design Panel

- 1. The design panel established for each design review session must have an understanding of local design and planning challenges, opportunities and priorities, commercial viability and government policy relevant to the proposal.
- 2. Panel members must—
  - a) make themselves available for design review sessions where practicable; and
  - b) review the design review agenda and briefing notes prior to the design review session; and
  - c) identify any conflicts of interest, inform the designated entity of any such conflicts before the design review session, and not participate in any design review session where a conflict exists; and
  - d) be objective when reviewing projects; and
  - e) provide constructive feedback (whether supportive or critical); and
  - f) treat all information acquired through performing any function relating to this Scheme confidentially.

### 4.3. Role of Design Panel Chair

In addition to the responsibilities in section 4.2, the panel Chair must—

- a) welcome attendees and begin the design review session; and
- b) facilitate the design review session in an objective and considerate manner; and
- c) demonstrate strong critical and analytical skills; and
- d) communicate clearly in an accessible manner; and
- e) respectfully manage panel members, proponents or other stakeholders who express strong or conflicting opinions; and
- f) synthesise and summarise disparate or conflicting views; and
- g) summarise the panel discussion in a clear and concise manner; and
- h) close the design review session.

## 5. Design Advice

### 5.1. Preparing Design Advice

1. The panel Chair must prepare the design advice arising from the design review session.
2. The design advice must be in the format approved by the Chief Executive and—
  - a) be an accurate summary of the design review session; and
  - b) where possible, use clear and accessible language; and
  - c) include the design review session number; and
  - d) specify the date on which the design review session occurred; and
  - e) reference any design advice resulting from previously undertaken design review sessions for the relevant development proposal; and
  - f) outline the design panel's involvement with the project, including any site visits; and
  - g) include the contact information of the council; and
  - h) remain confidential.

### 5.2. Provision of Design Advice

1. The panel Chair must finalise the design advice and provide a copy to the designated entity as soon as practicable after signing the design advice.
2. Where design review is carried out by an Independent Design Review Administrator, the council must provide a copy of the signed design advice to the proponent.
3. It is intended that a copy of the signed design advice be provided to the proponent within 10 business days after the design review session.

### 5.3. Correction of Errors

If design advice is found to contain an error, the designated entity may withdraw it and request it be corrected by the panel Chair, and then re-issue it. The report must retain its original date and be clearly marked with an explanation of reissue.

#### 5.4. Lodging Design Advice with a Development Application

1. The proponent must provide a complete copy of the most recent design advice and previous iterations of design advice, if there have been two or more design review sessions, to the relevant authority when submitting their development application.
2. The proponent must include a response to the design advice, including a summary of any changes made to the proposal since the most recent design review session.
3. The council should undertake a concurrence check of the proponent's response to the design advice and the lodged development application before assessment, and alert the relevant authority of discrepancies.

#### 5.5. Status of the Design Advice in the Planning System

1. In considering a development application that was subject to design review under this Scheme, the relevant authority must take into account the design advice (insofar as may be relevant to the assessment of proposed development by the relevant authority).
2. The relevant authority should consider how the lodged proposal has responded to the design advice provided by the design panel.

## 6. Monitoring, Performance and Complaints

### 6.1. Annual Evaluation

1. The designated entity must undertake an annual evaluation on the impacts and benefits of design review in a format determined or approved by the Government Architect.
2. Each annual evaluation will relate to a financial year.
3. To undertake the evaluation, the designated entity must collect data on each project that was the subject of design review in the relevant year including—
  - a) the class of development; and
  - b) the address or site of the proposed development; and
  - c) any relevant planning zone, subzones and overlays; and
  - d) the estimated development cost; and
  - e) the Panel members and Chair; and
  - f) the number of design review sessions undertaken; and
  - g) project status as at the end of the financial year (if known); and
  - h) any other information that the Government Architect thinks fit.
4. The designated entity must provide the complete evaluation report to the Government Architect within three months of the end of the financial year.

### 6.2. Feedback

A proponent may provide feedback to the council on their experiences of design review under this Scheme, the quality of the design advice they received, and the impact it had on the final outcome.

### 6.3. Data Storage

Designated entities and councils participating in this Scheme must store all data collected under this Scheme securely and take such steps as may be reasonably necessary or appropriate to keep it confidential.

## 6.4. Complaints

1. A proponent may lodge a complaint to the designated entity under this Scheme, if the proponent—
  - a) believes that the designated entity failed to comply with, or acted in contravention of, the Act or any regulations under the Act with respect to any matter associated with this Scheme; or
  - b) believes that there has been a breach of the code of conduct; or
  - c) believes that the written design advice is not an accurate representation of the discussion from the design review session.
2. A complaint made under this Scheme must—
  - a) be made in the form approved by the designated entity; and
  - b) contain particulars of the allegation on which the complaint is based; and
  - c) include any other information specified by the designated entity.
3. The designated entity may refuse to investigate a complaint or, having accepted a complaint for investigation, may refuse to investigate it further, if it appears that—
  - a) the matter raised by the complaint is trivial; or
  - b) the complaint is frivolous or vexatious or is not made in good faith; or
  - c) it would be more appropriate for proceedings to be initiated in a court or tribunal constituted by law, or for the matter to be handled by another authority; or
  - d) there is some other good reason not to proceed (or further proceed) with the matter under this Scheme.
4. While no action may be brought against a panel member on the basis of any advice or other action given or taken by a design panel under section 121(8) of the Act, the designated entity may, at the conclusion of any complaints resolution process—
  - a) decide to take no further action on the complaint; or
  - b) undertake any consultation or further inquiry as the designated entity thinks fit; or
  - c) amend the design advice; or
  - d) make recommendations to the panel member; or
  - e) caution or reprimand the panel member; or
  - f) recommend that a person no longer hold office as a panel member under this Scheme; or
  - g) take such other action as the designated entity thinks fit.

## 7. Code of Conduct

### 7.1. Introduction

This Part provides for standards of conduct and professionalism that are to be observed by all persons and bodies operating under the Act.

For the purposes of the Act, all persons and bodies performing a function under this Scheme must carry out, and be seen to carry out, their functions with the highest ethical standards so as to maintain public confidence in the integrity of the design review scheme under the Act.

A designated entity may also develop and maintain other code of conduct requirements for the purposes of this Scheme.

These standards and requirements constitute a code of conduct and must be read in conjunction with the requirements under the Act.

### 7.2. Requirements under the Act

All persons or bodies operating under this Scheme are subject to a statutory duty under section 15 of the Act as follows:

- (1) *It is expected that a person or body that—*
  - (a) *seeks to obtain an authorisation under this Act; or*
  - (b) *performs, exercises or discharges a function, power or duty under this Act; or*
  - (c) *takes the benefit of this Act or is otherwise involved in a process provided by this Act,**will—*
  - (d) *act in a cooperative and constructive way; and*
  - (e) *be honest and open in interacting with other entities under this Act; and*
  - (f) *be prepared to find reasonable solutions to issues that affect other interested parties or third parties.*
- (2) *Without limiting subsection (1), a person or body performing, exercising or discharging a function, power or duty under this Act must—*
  - (a) *exercise professional care and diligence; and*
  - (b) *act honestly and in an impartial manner; and*
  - (c) *be responsible and accountable in its conduct; and*
  - (d) *comply with any code of conduct, service benchmark or other requirement that applies in relation to the person or body.*
- (3) *The Minister may, after taking into account the advice of the Commission, establish and maintain service benchmarks for the purposes of this section.*
- (4) *The principles and benchmarks under this section—*
  - (a) *do not give rise to substantive rights or liabilities; but*
  - (b) *may lead to action being taken on account of a breach of a code of conduct or professional standard that applies in relation to a relevant person or body.*



## Have your say

The draft Local Design Review Scheme is available for public comment until Friday 21 August 2020.

Feedback received will help to finalise the Local Design Review Scheme for South Australia.

Please ensure you provide your feedback on the draft Scheme through any of the following channels:

- **Email:** [DPTI.ODASAconsultation@sa.gov.au](mailto:DPTI.ODASAconsultation@sa.gov.au)
- **Online:** [yoursay.sa.gov.au/local-design-review-scheme](https://yoursay.sa.gov.au/local-design-review-scheme)
- **Post:** ODASA Consultation, 28 Leigh Street, Adelaide SA 5000

If you would like to speak with someone about Local Design Review, please contact the Office for Design and Architecture South Australia (ODASA) on 8402 1884 during business hours (9am – 5pm, weekdays).

For more information about South Australia's new planning system, please visit the SA Planning Portal ([saplanningportal.sa.gov.au](https://saplanningportal.sa.gov.au)).



**Government of South Australia**

Department of Planning,  
Transport and Infrastructure

**OFFICE FOR  
DESIGN+  
ARCHITECTURE** SA

**REPORTS FOR NOTING**

## Development Plan Amendments Update

<b>Originating Officer</b>	Senior Policy Planner - David Melhuish
<b>Corporate Manager</b>	Manager Development and Regulatory Services - Warwick Deller-Coombs
<b>General Manager</b>	General Manager City Development - Ilia Houridis
<b>Report Reference</b>	UPC200714R03

### REPORT OBJECTIVE

To provide Members an update on all active Development Plan Amendments (DPAs)

### EXECUTIVE SUMMARY

The Development Plan Amendments that are in progress and their current status is outlined in Attachment 1.

### RECOMMENDATION

**That the Urban Planning Committee notes this report.**

### DISCUSSION

Council is currently monitoring four key Development Plan Amendments (DPAs) across three categories.

#### Ministerial-Initiated DPAs

- Morphetville Racecourse Ministerial DPA
- Lonsdale Residential DPA

#### Developer-Initiated DPA

- Seacliff Park Residential & Activity Centre DPA (Cities of Marion and Holdfast)

#### Council-Initiated Development Plan Amendments

- Housing Diversity DPA (Parts 1 & 2)

The table provided as Attachment 1 summarises the intent and current status of the above Development Plan Amendments.

With the Planning and Design Code still evolving following consultation, the transition plan for the zones created by the DPAs outlined in this report, into the Code, are still being considered by DPTI. With the conclusion of the implementation of Stage 2, DPTI and the Commission are shifting greater focus on addressing zoning issues and submissions for Stage 3 Councils. Administration is working with DPTI to ensure an appropriate transition.

### Attachment

#	Attachment	Type
1	Development Plan Amendments in progress	MS Word File
2	ERDC - letter to Minister 2020-06-02	PDF File

## Development Plan Amendments in progress

### Ministerial-Initiated Development Plan Amendments:

Development Plan Amendment (DPA)	Status
<p><b><i>Morphettville Racecourse</i></b> <b><i>Ministerial DPA</i></b></p> <p>The South Australian Jockey Club seeks to redevelop surplus land on the northern part of the racecourse for a mixed use development including residential, retail and commercial land uses.</p> <p>Development will involve land located in both the City of Marion and the City of West Torrens.</p>	<p>Council provided a response to the Minister during the public/agency consultation period in 2017.</p> <p>The Minister approved the DPA on 7 May 2020 and it is now consolidated into Council's Development Plan.</p> <p>The Environment Resource and Development Committee of Parliament sought Council's comment (if any) on the final version of the DPA.</p> <p>Council provided comment to the ERDC regarding potential traffic issues in the local streets and opportunity for recreational open space within the racecourse land to supplement the Plympton Sports Club</p> <p>The ERDC has suggested that the Minister consider including policy ensuring clarity in respect of minimising traffic impacts on local roads to the east of the site. (<i>refer to Attachment 2</i>)</p> <p>DPTI has advised that the Minister has agreed to the recommended changes to the Development Plan. The changes are anticipated to be notified in the Government Gazette on Thursday 9 July 2020 and subsequently consolidated into the Development Plan.</p>

## Ministerial-Initiated Development Plan Amendments continued...

### ***Lonsdale Residential DPA***

The DPA relates to a vacant 12 ha site in Hallett Cove/ Lonsdale (located in Marion and Onkaparinga Councils). The land previously acted as a buffer between industrial uses (in particular the former oil refinery) to the south and residential development to the north in Hallett Cove.

With the closure of the refinery it is proposed to rezone the land for

residential purposes, to expand on residential development to the north. The land is proposed to become Residential Zone / 'Lonsdale Policy Area 9'

The DPA examined the range and degree of potential interface impacts and considered appropriate policy responses to mitigate any impacts.

Council considered and resolved to support the DPA on 10 December 2019.

The State Planning Commission were advised of this resolution.

DPTI has advised that the Minister has approved the DPA. The changes are anticipated to be notified in the Government Gazette on Thursday 9 July 2020 and subsequently consolidated into the Development Plan.

## Developer-Initiated Development Plan Amendment:

Development Plan Amendment (DPA)	Status
<p><b><i>Seacliff Park Residential &amp; Centre DPA</i></b> <b><i>(Cities of Marion &amp; Holdfast Bay)</i></b></p> <p>The DPA proposes to create a Suburban Neighbourhood zone to facilitate the appropriate development of a site on Scholefield Road Seacliff Park for a neighbourhood activity centre, medium density residential development and open space.</p>	<p>The DPA was approved by the Cities of Marion and Holdfast Bay and was forwarded to the Minister/DPTI for Approval in February 2020.</p> <p>A Stormwater Infrastructure Deed between the two Councils and the Seacliff Group (owner of the land) was forwarded with the DPA.</p> <p>DPTI are still reviewing the DPA and are liaising with the Department of Energy and Mining.</p> <p>DPTI are also still awaiting confirmation of financial commitments for the haul road relocation and intersection upgrade.</p> <p>The resolution of a number of associated matters (Transfer of lease over land to be transferred to Seacliff Group, future road reserve ownership etc.) are being worked through with Council.</p> <p>Once the above matters have been addressed DPTI will finalise it's comments on the document and forward it to the Minister for consideration/Approval.</p>

## Council-Initiated Development Plan Amendment:

Development Plan Amendment (DPA)	Status
<p><b><i>Housing Diversity DPA (Parts 1 and 2)</i></b></p> <p>The proposed DPA reviews the residential densities envisaged in the existing Policy Areas of the Residential Zone to assess opportunities for increased housing diversity/density, and to identify areas that warrant preservation, including Character areas.</p>	<p><u>Part 1</u> was approved by the Minister in August 2019 prior to the release of the Draft P&amp;D Code.</p> <p><u>Part 2</u> is on-hold pending the P&amp;D Code.</p> <p>DPTI have so far commented that the proposed Marion Road Urban Corridor component is not being transitioned to the Code and is likely to remain predominantly in a residential type zone for at least the short term.</p> <p>DPTI/The Commission is currently considering a new zone (Hills Neighbourhood Zone) for the suburbs south of Seacombe Road.</p> <p>DPTI/The Commission is also considering a new zone (Established Neighbourhood Zone) for the areas currently covered by the Residential Character Policy Area.</p> <p>Policy details for the two new zones are not yet available.</p>





3 June 2020

Hon Stephan Knoll  
Minister for Planning  
GPO Box 1553  
Adelaide SA 5001

By email : [Mininsterknoll@sa.gov.au](mailto:Mininsterknoll@sa.gov.au)

Cc : [DPTI.PDDPACoordinator@sa.gov.au](mailto:DPTI.PDDPACoordinator@sa.gov.au); [Mayorea@marion.sa.gov.au](mailto:Mayorea@marion.sa.gov.au),  
[ceoea@marion.sa.gov.au](mailto:ceoea@marion.sa.gov.au); [dsinclair@saajc.com.au](mailto:dsinclair@saajc.com.au); [sapanningcommission@sa.gov.au](mailto:sapanningcommission@sa.gov.au)

Dear Minister

**Re: Morphetville Racecourse Development Plan Amendment (DPA)**

I refer to the above DPA received by the Environment Resources and Development Committee on 8 May 2020.

Upon referral of a DPA by the Minister, the Committee writes to relevant local members and councils to provide an opportunity for comment in respect of the DPA.

The Committee received the following response from the City of Marion in relation to traffic management concerns:

*Whilst Council believes that the increase in traffic volumes is likely to lead to a noticeable reduction in residential amenity in certain streets, Council understands that the anticipated volumes will be within the generally acceptable upper limit for local street traffic volume. The increase in traffic volumes on Park Terrace is likely to require some form of road improvement/traffic management works to be undertaken in the short term. It is anticipated that a Local Area Traffic Management (LATM) review of the local residential area to the east, will require undertaking in the future, following development of the site, and any required road improvements carried out.*

*Figure 3 in the MFY traffic report indicates that potentially there could be three access points off Park Terrace into the Morphetville site. It was Council's view that all access points be required to better cope with the vehicle movements that the development of the site is likely to generate. Concept Plan Map Mar/10 shows only one access point near the intersection of Park Terrace and Tennyson Avenue. Council suggests further consideration of this matter be undertaken, and if considered warranted, the Concept Plan be amended accordingly.*

*The Desired Character statement is generally considered appropriate. However, if the Statement included some commentary on vehicular access to the site, particularly through residential areas to the east of the site, it may help to ensure impacts from increased traffic volumes are minimised.*  
(City of Marion 29/05/20)

At its hearing on 1 June 2020, the Committee noted correspondence from the SAJC and the City of Marion and heard evidence from the State Planning Commission and DPTI staff in respect of the above traffic concerns.

The Committee acknowledges the Departments evidence that there are two phases of traffic management and analysis and that the concerns outlined by Council above can be addressed at the land division stage.

Notwithstanding this, the Committee noted that the current statement in Desired Character provides the following in respect of traffic management:

*"Access will be provided from secondary road frontages and rear access ways and mitigate impacts on the nearby Anzac Highway."*

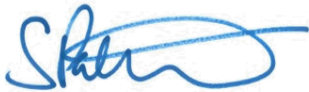
The Committee considered that this statement could be expanded to also include the desired outcome of minimising impacts on the local roads in the residential areas to the east of the site.

In accordance with the provisions of section 27(3) (b) of the *Development Act* 1993 the Committee resolved to make the following suggestions to the Minister to amend the DPA:

1. Whether a minor amendment to the Desired Character Statement in the Marion Council Urban Core Zone as above is warranted to ensure clarity in respect of traffic mitigation in the east of the site, and,
2. Whether the existing Concept Plan Map Mar/10 should be amended to include additional access points as included in the MFY Traffic report.

I look forward to your response.

Yours sincerely,



Stephen Patterson  
**Presiding Member**

**WORKSHOP / PRESENTATION ITEMS - Nil**

**OTHER BUSINESS**

**MEETING CLOSURE**