



**Minutes of the Planning and Development Committee
held on Tuesday, 7 March 2023 at 5.30 pm
Council Chamber, Council Administration Centre
245 Sturt Road, Sturt**

PRESENT

Councillor Nathan Prior (Chair)
His Worship the Mayor Kris Hanna

In Attendance

General Manager City Development - Tony Lines
Manager Development and Regulatory Services - Warwick Deller-Coombs
Team Leader Planning - Alex Wright
Executive Officer to the General Manager City Development - Mina Caruso
Project Support Officer (Development) - Anne Mitchell

1 Open Meeting

The Chair opened the meeting at 5.30pm.

2 Kurna Acknowledgement

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

3 Elected Member Declaration of Interest (if any)

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

The following interests were disclosed:

- Councillor Nathan Prior declared a general conflict of interest in Item 7.1 Southern Suburbs Residential Policy – Code Amendment.

4 Confirmation of Minutes**4.1 Confirmation of Minutes of the Planning and Development Committee Meeting held on 6 September 2022**

Report Reference PDC230307R4.1

Moved Mayor Hanna**Seconded Councillor Prior**

That the minutes of the Planning and Development Committee Meeting held on 6 September 2022 be taken as read and confirmed.

Carried Unanimously

5 Business Arising

5.1 Business Arising Statement - Action Items

Report Reference	PDC230307R5.1
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The Chair sought and was granted leave of the meeting to vary the order of the agenda and move the Confidential Items (PDC230307F6.1) to the end of the meeting.

Moved Mayor Hanna

Seconded Councillor Prior

That the Planning and Development Committee:

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

Carried Unanimously

7 Reports for Discussion

7.1 Southern Suburbs Residential Policy - Code Amendment

Report Reference	PDC230307R7.1
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Councillor Nathan Prior declared a general conflict of interest in the item due to owning a property located within the Southern Suburbs Residential Policy Area and stated he personally disagrees with the changes to the subdivision rules in the area. However, as the Committee Chair, he is present to facilitate a discussion and noted that the Committee is not a decision-making forum.

The Manager Development and Regulatory Services gave a brief overview of the 'Southern Suburbs Residential Policy – Code Amendment' and the proposed policy direction for future redevelopment potential for properties affected by the proposal.

The following discussion points were noted:

- A brief history and introduction to the origins of the Code Amendment Policy were presented.
 - Following the implementation of the State Planning and Design Code, staff reviewed the remaining areas and together with the PDC and Council, recommended that four Code Amendments be undertaken:
 1. Southern Suburbs Residential Policy (currently discussing)
 2. Local Centre Zone Realignment
 3. Marion Corridor which is now Marion Residential
 4. Morphettville Stables Area
- As a result of the implementation of new Planning and Design Code processes, Councils must choose from a Zone library as opposed to being able to design bespoke zoning policies for each area.
- Additional mapping in draft format of the affected areas was provided to Council prior to this meeting which was noted as being more clear than previous mapping.
- The Committee should consider recommending this to Council for consultation as it is primarily aimed at improving development outcomes for existing and future residents.
 - To consult the public to determine their opinion.
 - It clarifies the rules to be more consistent across the southern suburbs and does result in potentially up zoning and down zoning some areas.

- With long term development trends and available allotments, the proposed changes are not anticipated to bring a high level of change, but that it would encourage better development outcomes.
- From the Chair's perspective, there are a number of reasons why this policy alignment may be favourable; some reasons are valid, while others he is not in favour of and noted:
 - There have been requests from residents who want to subdivide and/or downsize and are waiting for this zone change as these zone changes were proposed more than 7 years ago.
 - Policy areas are currently dispersed fairly arbitrarily throughout the southern areas of the city.
 - In areas of the city with similar communities of interest and the same topography, certain zoning areas make sense to apply to more than one area.
 - Concerns raised regarding Seacombe Heights and Seaview Downs, since significant changes to the development policy affect parts of these areas. Many people in the community may be opposed to these changes.
 - Noted, the Chair supports going out to community consultation.
- Mayor Hanna thanked staff for the clearer communication in the report and noted:
 - Council had a good indication from the community of what they wanted in 'broad terms'.
 - Considers the balance is about right as it is a gradient based zoning.
- Gradient based zoning is approved at State Government level as it is in the planning policy library. The Hills Neighbourhood Zone allows gradient approach.
- Applicants are required to provide Council with site slope survey details. Any concerns raised during assessment will necessitate further clarification from the applicant as well as a property inspection by Council.
 - Staff will endeavour to ensure that all information provided by the applicant is correct and slopes can be checked on Esri (have access to regular aerial imagery).
- The Chair noted that when Council drew the line, it follows the gradient provisions on the map quite well. The gradient areas do skirt around the specified line, so in terms of how the prior consultation was received, it is neither entirely dispensing nor completely enabling subdividing everywhere.
- The gradient criteria will better ensure that more appropriate forms of development occur.

Moved Mayor Hanna

Seconded Councillor Prior

That the Planning and Development Committee:

1. Considers the report; in particular, the spatial changes to the Hills Neighbourhood Zone, the proposed amendments to the slope-related policy within that zone, and the associated Community Engagement Plan.
2. Recommends that Council endorses the amendments to the Planning and Design Code proposed within the 'Southern Suburbs Residential Policy - Code Amendment' as being appropriate for community consultation.
3. Recommends that Council endorses the Community Engagement Plan.

Carried Unanimously

7.2 Code Amendments Update

Report Reference

PDC230307R7.2

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

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

Council Initiated Code Amendments

Morphettville and Glengowrie Horse Related Activities

- The proposed amendment was in tandem with the re-development at SAJC for additional stables.
 - SAJC have removed the proposal to build new stables.
- The Committee could consider further engagement / consultation with residents before proceeding with the amendments.
 - Staff suggested they are able to send out another letter to residents affected to gauge their support or opposition.
- Are the residents interested, as the original proposal was sold with the idea of new stables for the owners to utilise but now there will not be any?
 - Subdivision would have been more financially feasible for the stable owners.
 - Aware that some trainers are moving to Murray Bridge.
- While the initial motivation is unlikely, further consultation with residents could occur.

ACTION

Staff to send a simple letter to gauge whether the community is willing to support the amendment moving forward.

Urban Corridor – Marion Road

- Given the priority of other amendments, the Committee agreed that this amendment will be taken up at the next PDC meeting.

Moving forward the Order of Priorities are:

- Priority 1 – Southern Suburbs Residential Policy – Code Amendment (affects the most people).
 - Priority 2 – two-page letter regarding Morphettville Stables – to revisit this at next committee meeting.
 - Priority 3 – Centre Zones (less controversial).
 - Priority 4 – Urban Corridor – Marion Road (noted, maps demonstrating areas of change to be provided).
- For consideration some of the above tasks may take longer than it used to due to the retirement and departure from the Council of the Senior Policy Officer. Recruiting is underway to fill his role.

Ministerial / Government-led Code Amendments

- Flood zone mapping – Council received some communications about this amendment on consultation.
 - Essentially to remove requirement for applicants to undertake additional study and evidence provision for some of the lower risk areas due to updated mapping.
- CoM engineering staff and other councils are keen to provide the underlying data assumptions that underpin this; we are currently considering the ramifications and feedback will be provided to Council for their consideration.
- There is a Public Meeting available for CoM residents on 20 March 2023 at City of Onkaparinga, Onkaparinga Civic Centre.

- No questions were raised from the Committee.

Privately Initiated Code Amendments

Lots 51 and 52 Morphet Road Glengowrie (SAJC)

- SAJC presented to Council on 31 January 2023. Presentation included the proposal for the parcel of land which is opposite to the current Jockey Club site on the western side of Morphet Road.
 - Council members have already received a thorough briefing. No questions were asked of the Team Leader Planning.
- Council Submission regarding the zoning question was raised. Again, no questions were raised from the Committee.

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

- The Bunnings proposal for Lot 707 has not progressed further from a rezoning perspective.
- Any further reporting will be updated in confidence.

Moved Mayor Hanna

Seconded Councillor Prior

That the Planning and Development Committee:

1. Notes the report.
2. Supports an informal consultation with owners who may be affected by the Morphetville and Glengowrie horse related activities proposal and that the committee prioritises work on the zones in the following order:
 1. Southern Suburbs Residential Policy – Code Amendment
 2. Centre Zones
 3. Urban Corridor – Marion Road

Carried Unanimously

8 Reports for Noting

8.1 Development Services Activities Update

Report Reference PDC230307R8.1

The following discussion points were noted:

- Mayor Hanna highlighted the need to focus on the deemed to consent provisions as well as seek the assurance that steps have been taken to improve procedures and ensure that there are no more deemed approvals.
 - In this instance the Council was supportive of the application and overwrote the approval with its own conditions.
 - As CoM was supportive of the application and overwrote it, the deemed consent notice no longer exists.
- The planning and assessment timeframes are a corporate KPI.
- If there is a deemed consent notice, if supportive, the Council can step in and have an approval that supersedes it, and the Council approval can add conditions to ensure the development proceeds in an orderly fashion.

- The Team Leader Planner noted page 90, the accepted and deemed to satisfy (DTS) development approvals.
 - Figures are quite low verses the number of applications the Council deal with monthly.
 - Have been advised that PLUS is looking at implementing the miscellaneous code amendment (sometime before Easter 2023).
 - Intention is to shift the number of DTS applications to over 25% (currently sitting at 12 to 15%).
 - At the next meeting an uptick in DTS approvals may be visible. More around minor applications, such as swimming pools and carport shelters, which are now delayed for around 20 days due to simple pool fencing and/or landscaping features.
- The Committee appreciated the data contained in the report and gave feedback for it to continue as is, including further commentary when there are interesting trends or changes.

Moved Mayor Hanna

Seconded Councillor Prior

That the Planning and Development Committee:

1. Notes the report.

Carried Unanimously

8.2 Land Development Projects Update

Report Reference

PDC230307R8.2

The following discussion points were noted:

- Morphettsville Racecourse – Villawood have partnered with SAJC for this project. The Council has a good relationship with Villawood and should be able to achieve some positive outcomes for the CoM community.
 - No further information to provide at this time apart from what was presented to the public via media.
- Oaklands Green – is progressing well.
 - Site sales are progressing, civil works is nearing complete, and a new sales centre is being relocated from Morphetts Road.
 - Tidy site and no complaints from surrounding residents.
- Seacliff Village – will be progressing. Again, a new sales centre is proposed for site, staff are working through this as it is currently under assessment.
- Cove Point – has not progressed greatly. Staff are working through the site's historical issues.
 - The Mayor queried the application process, indicating that it might not be 'straight forward'. From an administrative standpoint, what potential issues or concerns may exist?
 - It is a land division application. Stormwater and open space have historically been an issue. These issues are critical in terms of the council's expectations for what will happen on the site, such as whether there will be rainwater tanks or on-site solutions as opposed to critical infrastructure. Currently, Council does not support the proposal, and staff are attempting to negotiate better outcomes.

Moved Mayor Hanna

Seconded Councillor Prior

That the Planning and Development Committee:

1. Notes the report.

Carried Unanimously**6 Confidential Items****6.1 Cover Report - Confidential Business Arising Statement – Action Items**

Report Reference PDC230307F6.1

Moved Mayor Hanna**Seconded Councillor Prior**

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.

Carried Unanimously

6.15pm the meeting went into confidence.

A brief update was provided in confidence.

Moved Mayor Hanna**Seconded Councillor Prior**

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that any appendices from this report, *Confidential Business Arising Statement – Action Items*, having been considered in confidence under Section 90(2) and (3) (g)(h) and (m) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2023.

Carried Unanimously

6.29pm the meeting came out of confidence.

9 Workshop / Presentation Items – Nil**10 Other Business – Nil**

11 Meeting Closure

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

The meeting was declared closed at 6.29pm.

CONFIRMED THIS 2 DAY OF MAY 2023

CHAIRPERSON