

DIT:Planning Reform Submissions

From: Peter Jansen [REDACTED]
Sent: Thursday, 17 December 2020 2:36 PM
To: DIT:Planning Reform Submissions
Cc: Burdon, Leif (DIT)
Subject: City of Salisbury Submission Revised Planning and Design Code for Phase Three Dec 2020
Attachments: CCS Submission Dec 2020 table.docx; PD Code Dec 2020 submission Cover letterPJ.docx

[REDACTED] [REDACTED]

To whom it may concern,

Please find attached a cover letter and submission table from the City of Salisbury on the Revised Code.

Please note that this is not the final endorsed version of Council, but the recommendation of a Committee to the Council. Should changes be made at Council, the updated comments will be forwarded to you.

Regards.

Peter Jansen

Senior Policy Planner
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City of Salisbury Nov 2020 submission for PD Code
(Updated from Feb 2020 submission)

CCS Submission Feb 2020	Is submission Included in PD Code Nov 2020	Alternative Proposal in PD Code Nov 2020	Accept PD Code draft Y/N	Submission Dec 2020 Comments
Review of draft Policy for appropriate locations of higher density and quality design of infill development such as proximity to public transport, activity centres and opens space, and water tank requirements and tree planting.	Ongoing updates to general policy by State Planning Commission for design matters		y	
<p>Policy be introduced for existing Policy Area 18 (Salisbury Residential area) using council guideline criteria:</p> <ul style="list-style-type: none"> • Minimum frontage of 18m • Side setbacks of 900mm • Rear setback of 7m • Front setback that aligns with adjoining dwellings. 	Partly	<p>Proposed to become Suburban Neighbourhood Zone.</p> <p>PD Code criteria for this proposed Zone proposed applies:</p> <ul style="list-style-type: none"> • 9m max height 2 levels • Frontage dimensions – nil set. Results in becoming Council assessed. • 50% site coverage • Side setbacks – 900mm • Front setback that is the average of adjoining building lines, otherwise at least 8m. <p>Matters of difference are:</p> <ul style="list-style-type: none"> • Rear setback is 3m at ground level and 5m upper level, not 7m 	Y	Close fit with submission and current controls.

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<p>Wetland at Shoalhaven Mawson Lakes to become a Housing Diversity Neighbourhood Zone which is the same as the adjacent housing area.</p>	<p>No. Not changed to the Council submission. Site becomes Open Space Zone reflecting the existing use of the site.</p>		<p>N</p>	<p>Although the Ministerial approval of Mawson Lakes DPA part 2 indicated that the change to Shoalhaven wetland would undergo separate investigations for environment impacts and compliance with changes to Community Land revocation designation and would require separate Code amendment process and approvals, it is considered the previous submission to change should remain as it follows the intention to have like for like application of zone controls.</p>
<p>Retention of existing Concept plan 22 (Springbank Waters housing area for airplane noise treatments)</p>	<p>No Not included.</p>	<p>Becomes a Suburban Neighbourhood Zone with a local variation of maximum building height of 1 level reflecting the current concept plan requirements to satisfy acoustic noise minimisation from aviation.</p>	<p>y</p>	<p>Adequate provision.</p>
<p>The proposed Planning and Design Code Rural Living Zone policies for the area at Globe Derby that is adjacent the Trotting Track should recognise the existing character and land use restrictions that currently apply, or the application of a SubZone or other options as identified by the State Planning</p>	<p>No</p>	<p>Proposed Policy drafted so as to have a wider range of activities than is currently the case, subject to consideration by Council.</p>	<p>N</p>	<p>Significant shift from existing policy land use restrictions</p>

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Commission in discussion with Council staff and Chairperson of the Policy and Planning Committee.				
The current Coastal Township provisions for St Kilda be mirrored in the proposed Rural Settlement provisions	No	Proposed Policy drafted so as to have a wider range of activities than is currently the case, subject to consideration by Council.	N	Significant shift from existing policy land use restrictions
Zone boundary adjustments for 26 Clayson Rd SE – bisection 26 Willochra SP-lot in Empl zone 16 Beadell St Burt – bisect 105,117 Bolivar rd Burt- alignment 1, 3 Wyatt Rd Direk –in GN Zone	Zone adjusted Zone adjusted Zone adjusted Zone adjusted Not included. Retained as Rural Living		Y	Zone boundaries align with submission requests except for Wyatt Rd which was excluded from variation in DPA consideration.
Existing Centres become single zone approach	Yes Zones adjusted over Centres so as to become a singular entity.		Y	
Kings Rd Mixed Use Bulky Goods Employment and Leisure Zone be reviewed for suitable zone to reflect the extent of retail and leisure activities as per current provisions.	Yes Has become Employment Zone with a Retail Activity Centre Sub Zone. Sub Zone recognises large format retail and commercial activities which complement the principal land uses desired in the zone and the		Y	

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	<p>role of other zones accommodating significant shopping, business and commercial activities.</p> <p>Floor areas limits are not defined</p>			
<p>Review the Technical and Numeric Variation criteria for Salisbury City Centre and Mawson Lakes and building height limits for aviation</p>	<p>Yes</p> <p>A Mixed application of Technical and Numeric Variations for building heights, and Overlays.</p>		Y	
<p>Review the Mary Dan St area of Mawson Lakes zone application.</p>	<p>Yes</p> <p>Becomes Suburban Business Zone</p>		Y	<p>Reflects DPA directions of mixed uses allowance, with industry based activities requiring council assessment</p>
<p>Technology Park precinct reviewed for suitable zoning reflecting Innovation</p>	<p>Partly.</p> <p>Has become a Strategic Innovation Zone with policy reflecting the current and intended activities focussed on research and technology.</p> <p>Does not however include existing technology companies Sarstedt Aust and Daronmont Technologies at 16-28, 19-23, and 25-31 Park Way which have been included in</p>	<p>Zone application must be adjusted to correctly identify the properties at Park Way to be within the Strategic Innovation Zone.</p>	N	<p>Adjust the spatial application of the proposed Strategic Innovation Zone to include the sites at 16-28, 19-23, and 25-31 Park Way.</p>

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	the proposed Urban Neighbourhood Zone.			
Aviation policy for Building heights ANEF Building near Airfields Defence Aviation	Yes Overlay created. Overlay created Overlay created Overlay created but includes Simplified heights reflecting Defence Act, and not the detailed criteria and mapping south of the Edinburgh Defence base runway.	Sophisticated policy for Land south of Edinburgh Defence Base in current controls not applied, nor for Kings Rd site opposite Parafield Airport.	Y	Suggest further detailed assessment by State Planning Commission in later versions of PD Code.
Detail mapping of Concept Plan 30 Kings Rd in overlays and policy	No Simplified overlays created.	Comment As above	Y	Suggest further detailed assessment by State Planning Commission in later versions of PD Code.
Parafield and Edinburgh Australian Noise Exposure Forecast contours to be included in PD Code	Yes		Y	
Referral Bodies be identified for aviation impact assessment	Partly Planning, Design Infrastructure Regulations has a Referral Bodies Schedule. Civil Airport Referrals identified in Overlays. No Defence Referral body identified.		Y	Suggest need for Defence referral references.

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Terminology in defence aviation policy overlay to be clarified.	Yes		Y	
Information on the application of the use of Building near Airfields Overlay use compared to Defence overlay and lighting restrictions	No	Simplified application of Overlays and mapping overcomes need for terminology corrections	Y	
Concept Plan 6 Direk restrictions resulting from proximity to Edinburgh Defence Base runway to be retained.	No		N	Suggest further detailed assessment by State Planning Commission in later versions of PD Code.
Radar installation at St Kilda be incorporated as a Commonwealth Facilities Zone to reflect nature of use.	No		Y	
Flood Mapping	Yes		Y	
Seaward council boundary change question on legal implications to Council arising from change	No	While not technically a Code issue, the realignment has been incorporated through the PD Code	N	Council is disappointed with the lack of consultation and briefing on the legal implications. Information and legal advice on responsibilities for such places as the International Bird Sanctuary, mangroves and St Kilda channel is sought. Refer to the February 2020 submission.
Council road boundary setback tables and referral	Yes Created as Overlay		Y	
Concept plans retained CP 4 – road link to saltfields CP 10 Boral buffer Gulf View Heights CP 22 burton residential acoustic CP 34 Salisbury City Centre future	No	Concept Plan 22 Burton residential area has been incorporated through other means	No	These Concept Plans are considered to be critical to the orderly and proper development of Salisbury and recommended for retention.

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<p>Residential area adjacent Boral quarry Salisbury East and buffer policies to recognise proximity and interface and rehabilitation.</p>	<p>Partly</p> <p>Boral Quarry is identified as a Resource Extraction Zone.</p> <p>Policies do not refer to rehabilitation</p>		<p>No</p>	<p>Policy must recognise proximity of residential area and the interface, and rehabilitation requirements.</p>
<p>Universal Design module development, and training plan.</p>	<p>No</p>		<p>No</p>	<p>Universal Design must be recognised as an important policy module in the Planning and Design Code. Refer to February 2020 submission.</p>
<p>Place of Worship policy from Salisbury Development Plan incorporated into PD Code</p>	<p>No</p>		<p>No</p>	<p>It is recommended that the relevant existing policy in the City of Salisbury Development Plan should be incorporated into the P&D Code to guide Place of Worship location. Refer to February 2020 submission</p>
<p>Public notification triggers simplified</p>	<p>Partly</p> <p>Amendments made to some identified uses and zones, but interpretation remains confusing</p>		<p>No</p>	<p>It is recommended that public notification triggers be further simplified to overcome confusion. Refer to February 2020 submission</p>



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Office of the Mayor
Gillian Aldridge

DIT Planning Reforms

Dear Sirs

**City of Salisbury submission
Revised Planning and Design Code for Phase Three December 2020**

Council considered a report on the revised Planning and Design Code Phase 3 (Urban Areas) at its Policy and Planning Committee meeting on 14th December 2020. The Council endorsement of the submission is anticipated to occur on the 21st December 2020, which is later than the submission deadline. As such, these comments are provided subject to final endorsement by Council. Amendments to the Submission will be provided if required.

Council made a detailed submission on the February 2020 version of the Planning and Design Code and has been used as a basis for these comments. The attachment to this letter includes comments on the issues that Council wishes to raise on the Revised Code.

Council previously indicated it welcomes the State Government's three month deferral of implementation of the Planning and Design Code, and broadly supports the planning reforms and commends the significant amount of work undertaken to date, and the improvements to the digital links and information to understand the application of the new proposed policy against spatial application of the Code.

The recommendation of the Policy and Planning Committee on this Revised Code included the following:

1. *A recommendation be made to the Minister for Planning that the introduction of the Phase 3 Code Amendment be deferred to at least 1st July 2021 to:*
 - a. *Enable administrative and policy issues with the Code to be comprehensively resolved, and*
 - b. *In recognition of the current significant spike in development application activity as a result of government stimulus packages, and the need to ensure that the development industry is well placed to deliver on the objectives of the stimulus packages without the potential complications of the new Code.*

The main issues that remain in this Revised Code are:

- The Shoalhaven Wetlands (portion)

Remains identified as Open Space Zone in place of the Council submission seeking a conversion to the Housing Diversity Neighbourhood Zone which is proposed for the residential area adjacent the wetland. It is considered the Housing Diversity Neighbourhood Zone better aligns with the current classification of Multifunction Polis (The Levels) Zone and its policy recognition of potential future residential use.

- The Rural Living Zone policies at the Globe Derby area

The State Planning Commission has indicated that the current wide ranging list of non-complying land uses will not apply in the Planning and Design Code. It considers that more comprehensive assessment will occur for those types of activities. Council reiterates its previous position.

- Rural Settlement provisions for St Kilda

The submission sought to retain the existing provisions in the proposed Rural Settlement Zone. The new policies are suitably mirrored, but the listed Restricted Uses is curtailed, as per the State Planning Commission philosophy. Council reiterates its position.

- Strategic Innovation precinct zoning spatial extent be reviewed

The spatial application of the proposed Strategic Innovation Zone at Technology Park is adjusted to include the properties at 16-28, 19-23, and 25-31 Park Way which includes businesses such as Sarstedt Aust. and Daronmont Technologies.

- Seaward Council boundary change legal implications information

Council's previous submission identified that there may be significant impacts on responsibilities for the International Bird Sanctuary, mangroves, and St Kilda channel, and that it warranted information and a briefing from the State on the matter. This has not happened as yet, and we are further investigating this matter and obtaining our own advice on the implications of this change, but request information on this matter.

- Universal Design

Universal Design must be recognised as an important policy module in the Planning and Design Code.

- Places of Worship policy

The existing policy in the City of Salisbury Development Plan should be incorporated into the Planning and Design Code to guide the location of Places of Worship.

Other comments are contained in the attached table.

Council also previously commented that that the State Planning Commission should prepare the Planning and Design Code policy in the event that legislation to decriminalise sex work activity passes through Parliament.

For clarification of the various matters and comments that are made in the submission and detailed practitioner reviews, please contact Peter Jansen on [REDACTED] or [REDACTED]

Yours faithfully

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A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Gillian Aldridge OAM
Mayor