

27 February 2020

Department of Planning, Transport & Infrastructure
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ADELAIDE SA 2001

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**Re: Phase 3 – Planning and Design Code
Vicinity Centres - Shopping Centres in Metropolitan Adelaide**

Vicinity Centres writes to provide commentary on the transition of zoning of its shopping centres to the Planning and Design Code (PD Code).

Vicinity Centres has four sites within metropolitan Adelaide affected by the transition to the Planning and Design Code, namely:

- Colonnades Shopping Centre - Goldsmith Drive, Noarlunga Centre
- Kurralta Park Shopping Centre - 153 – 165 Anzac Highway, Kurralta Park
- Castle Plaza (including adjacent former Hills Industry land) – 944-992 South Road, Edwardstown
- Elizabeth City Centre – 50 Elizabeth Way, corner Elizabeth Way and Main North Road and Corner Philip Highway and Main North Road, Elizabeth

An analysis of the transition of the zoning of these centres has been undertaken by our planning consultants and we are informed of a number of changes which could significantly impact on the future development opportunities of our sites. These concerns in relation to our specific sites and general policy approach are discussed below.

In transitioning the current zones to the PD Code, we request that the overall intent and purpose State Planning Policy 9, is applied. As stated in the purpose for State Planning Policy 9: “Activity centres have been one of the pillars of South Australia’s growth and development. They have contributed to the form and pattern of development and enabled more equitable and convenient access to shopping, administrative, cultural, entertainment and other facilities that enable a number of activities in a single trip”. Shopping centres will continue to evolve and develop and play an important role in contributing to State Planning Policy 9 (SPP9):

SPP 9: EMPLOYMENT LANDS

Providing a suitable supply of land for employment uses is critical to support job growth and the economic prosperity of the communities. The planning system needs to support the diversification of our economy and remove barriers to innovation. It is critical that the right signals are sent to the market to attract interest, investment and tourism opportunities across South Australia.

Figure 5: Principles of Retail Planning

Existing centres – recognise existing activity centres, main streets and mixed-use areas as the primary place for commercial and retail activity.

Expansion – allow for expansion of designated centres at 'edge-of-centre' locations.

New activity centres – allow new activity centres to be established to support equitable and convenient access to services, while supporting productive settlement patterns.

Hierarchy – protect higher-order centres that support a productive settlement pattern, while allowing for smaller-scale activity centres to emerge and diversify.

Urban design – reinforce the role of land use policies to guide urban form and place-making in mixed-use activity centres.



It is our understanding that the transition of zones to the PD Code is intended to be policy neutral as much as possible. We understand that centre zones are generally transitioned as follows:

- Local Centre & Neighbourhood Centre to Suburban Activity Centre.
- Regional Centre Zone & District Centre to Urban Activity Centre.

It is apparent that a suitable neutral transition has not occurred for a number of our centres. The implications of an incorrect transition, or the application of a lower order centre would potentially limit future development opportunities, a situation which is totally inappropriate and unacceptable to Vicinity Centres.

1.0 VICINITY CENTRE SHOPPING CENTRES

1.1 Kurralta Park Shopping Centre

Kurralta Park Shopping Centre located on Anzac Highway and within the City of West Torrens, is currently within the District Centre Zone. It is proposed to be transitioned to a Suburban Activity Centre Zone pursuant to the Planning and Design Code. It is our view that Kurralta Park Shopping Centre should be transitioned to an Urban Activity Centre, rather than the lower order centre, as the proposed zoning could be viewed as the **equivalent of a 'down-zoning'**.

Vicinity Centres own four properties to the west of the shopping centre along Anzac Highway (numbered 167, 169, 171 and 173 Anzac Highway) are located within the Urban Corridor Zone – Boulevard Policy Area. The policies of the Urban Corridor Zone support mixed use development and larger building heights than the adjoining centre zone. To ensure more consistency, these four properties should be considered for rezoning to the Urban Activity Centre Zone from the current Urban Corridor Zone, to provide greater flexibility for the future development of the shopping centre in a westerly direction and provide more opportunities for integrated mixed-use development.

Should the current Urban Corridor Zone and Suburban Activity Centre Zone be maintained there would be a significant discrepancy in development potential between these zones and varying procedures for development applications, which would not result in an appropriate policy framework to facilitate development along Anzac Highway and within the centre.

1.2 Colonnades Shopping Centre

Colonnades Shopping Centre, located within the City of Onkaparinga is currently within the Regional Centre Zone. Inclusion of Colonnades Shopping Centre in the Urban Activity Zone under the Planning and Design Code appears to be a consistent transition of policy, that would allow for ongoing use and development of the centre.

1.3 Castle Plaza

The Castle Plaza Shopping Centre and associated the former Hills Industries site are both located within the Mixed-Use Zone in the Marion Council Development Plan. The zone is intended to accommodate:

a range of district level employment generating land uses such as retail, commercial, community and civic uses, together with medium to high density residential land uses, including affordable housing

a high quality public realm that promotes social interaction and active transport intense development that transitions to the adjacent residential areas, but with no identified building height limits and minimal setbacks.

The area covered by the Castle Plaza Centre and adjacent former Hills Industry land, of which there is a master plan, is proposed to be transitioned into 3 zones being the Suburban Activity Centre Zone (for existing centre), Suburban Main Street Zone (for Raglan Avenue and South Road fronted land) and Suburban Business and Innovation Zone (for the remainder of the land to the north).

Vicinity has a serious concern about the approach adopted within the Code to fragment the zoning for the Castle Plaza development. This is not considered to support good planning and the achievement of a comprehensive, master-planned development, nor a coherent outcome for development across the site that facilitates the implementation of the Master Plan developed and presented to Council.

Importantly, it places significant limitations on the development of the land which will have serious financial implications for Vicinity, on top of the ongoing obligations associated with the Deed of Agreement for funding roadworks, and the uncertainty provide by the lack of resolution and detail about the North-South Corridor. This is simply unacceptable to Vicinity Centres.

For this reason, the Urban Activity Zone is considered to be a more appropriate zone for the entire Castle Plaza development site due to:

- outcomes that seek a cohesive and legible environment supporting a broad spectrum of regional level business, shopping entertainment and recreational facilities over extended hours
- business, shopping and entertaining areas integrated with public transport facilities and active transport networks
- residential development that achieves medium-high densities with a minimum net density of 35 dwellings / hectare
- no retail development listed as restricted development (regardless of floor area).

This zone best reflects the existing Mixed-Use Zone and provides the level of flexibility required to achieve the masterplan.

1.4 Elizabeth

Elizabeth City Centre, located within the City of Playford is currently within the Regional Centre Zone. Inclusion of Elizabeth City Centre in the Urban Activity Zone under the Planning and Design Code appears to be a consistent transition of policy, that would allow for ongoing use and development of the centre.

2.0 GENERAL POLICY CONSIDERATIONS

2.1 Out-Of-Centres Retailing

It is noted that the PD Code includes greater flexibility for retail developments in a range of non-centre zones. Whilst retail development to support mixed use development is acknowledged, we would seek to ensure the viability of higher order centres is protected, in accordance with SPP9.

Furthermore, we request that there is an appropriate policy framework to assess 'out-of-centre' retail development. Currently Development Plans throughout metropolitan Adelaide include the General "Centres and Retail Development" policy. This policy is not transitioned to the PD Code, which results in a substantial policy gap for assessment of out-of-centre zone retailing that exceeds the floors space criteria for shops in zones which are not the primary place for retail development. On this basis we are concerned that the current draft of the PD Code is not compliant with SPP9 and hence will not protect higher order centres.

2.2 Designated Areas – Car Parking Ratios

We understand that under the PD Design Code may designate a zone, subzone, overlay or identify other areas for certain purposes. One of these purposes relates to car parking ratios. We are informed that the definition of a "designated area" for the purposes of car parking varies between the current Development Plan definition (which is Ministerial Policy) and that proposed in the PD Code.

The identification of 'designated area' for reduced parking ratios within the Draft Code has been altered and this has large implications as detailed below.

Kurralta Park Shopping Centre and Castle Plaza currently qualify as "designated areas" (current Mixed-Use Zone intentionally included for Castle Plaza within the DPA) with Kurralta Park's proximity adjacent a high-frequency bus route on Anzac Highway providing qualification. However, pursuant to the PD Code, designated areas only apply to certain zones and with sites within 400 metres of a bus interchange, railway or tram station, or the Adelaide Parklands. As such, both the Castle Plaza site (under the proposed zoning) and the Kurralta Park site are not within a designated area under the Code, and therefore not subject to a reduced parking rate. This is a significant imposition for future development and is unacceptable.

Both the Colonnades Shopping Centre and Elizabeth City Centre would have two different car parking requirements given the expanse of the sites and the fact that only portion of the sites are within 400 metres of the Noarlunga and Elizabeth Railway Stations and therefore within a designated area under the Code.

In finalising the Code, it is our respectful submission that the definition of a designated area for the purposes of parking is more appropriately and consistently applied and in particular, reflects the frequent

bus routes to which the Ministerial policy was originally applied. This approach supports these bus services and a desire to transition to more sustainable transport modes.

2.3 Referrals to the Commissioner of Highways

All of our shopping centres are located on arterial roads and a “traffic generating development overlay” under the PD Code (amongst many others). We seek to ensure that referrals to the Commissioner of Highways (and referrals generally) are not more onerous than would currently apply. We note that there are several criteria for the referral which varies between zones. We request that referrals to the Commissioner of Highways are limited in circumstances that directly impact on the arterial road network and the appropriate exemptions are included in the PD Code in a consistent manner across our sites.

Whilst we understand that this has been recognised by DPTI through the Update Report, we have not seen what and how changes to these will occur. As such, it is suggested that attention be given to the Traffic Generating Development Overlay referral triggers. In particular, these triggers should be altered to avoid interpretation which would likely result in significantly more unnecessary referrals. Specifically, we request clarification of whether:

- the “new access points” trigger relates only to those proposed on the arterial road network (or within 25m of a junction)
- the floor areas identified for commercial and retail development is additional (ie proposed) or overall. If overall, this will result in automatic referrals for all Vicinity centres (if not all in Adelaide!). This is contrary to the intent of the new planning system.
- whether the reference to “250m of an Urban Traffic Route or Major Urban Traffic Route” within clause (f) of the trigger is meant to apply to all criteria listed or just part (f) (we note that the Major Urban Transport Routes Overlay adopts this approach)

2.4 Public Notification

The structure of consultation within the zones (all zones) in the released document is flawed, and whilst we recognise that DPTI have identified this and provided an updated commentary (as below) which confirms the following approach, we seek a consistent approach across the centre zones applicable to our sites:

- list specific classes of development that are excluded from notification (instead of everything exempt except where listed approach)
- exclude minor/low impact land uses envisaged in the zone provided they do not exceed building height/interface criteria.

We note that the above suggested changes by DPTI have not yet been translated across to specific zones and that this is unlikely to be made public before the Code goes “live”. Therefore, it is difficult to comment specifically on any impacts on your interests at this point in time and we respectfully seek confirmation of this before completion of the Code.

Most importantly, Vicinity does not expect the Code to result in any increase in notification of developments within the Zones as this is fundamentally inconsistent with the aims of the new Planning System.



If you require any clarification on the advice contained in this letter, please do not hesitate to contact me by phone on [REDACTED]

Yours sincerely

A handwritten signature in blue ink, appearing to be "B. Osborne", with a long horizontal line extending to the right.

Brad Osborne
Regional General Manager, Development WA/SA