

Centre Zone Adjustment Code Amendment

Draft for Consultation

Contents

Have Your Say	1
1. What is the Planning and Design Code?.....	2
1.1 Planning and Design Code Framework.....	2
1.2 Overlays.....	2
1.3 Zones	2
1.4 Sub zones.....	2
1.5 General Development Policies	2
1.6 Technical and Numerical Variations (TNVs).....	3
1.7 Amending the Planning and Design Code	3
2. What is proposed in this Code Amendment?	4
2.1 Need for the amendment.....	4
2.2 Affected Area/s.....	4
2.3 Summary of proposed policy changes.....	5
3. WHAT ARE THE NEXT STEPS FOR THIS CODE AMENDMENT?	15
3.1 Engagement.....	15
3.2 How can I have my say on the Code Amendment?	16
3.3 What changes to the Code Amendment can my feedback influence?	16
3.4 What will happen with my feedback?.....	17
3.5 Decision on the Code Amendment	17
4. ANALYSIS.....	18
4.1 Strategic Planning Outcomes	18
4.2 Infrastructure planning.....	19
4.3 Investigations	20
Attachment A – Affected Area Mapping.....	22
Attachment B – Current and Proposed Code Policy.....	33
Attachment C – Investigations	45

Have Your Say

This Code Amendment is on consultation from 25 September 2023 to 23 October 2023.

During this time you are welcome to lodge a written submission about any of the changes proposed in this Code Amendment.

More information can be obtained from contacting David Barone, Senior Strategic and Policy Planner on 8375 6667 or david.barone@marion.sa.gov.au

Submissions can be made **before 5pm on Monday 23 October 2023** via the following options:

- completing the online survey at makingmarion.sa.gov.au/centresadjustment
- email your comments to council@marion.sa.gov.au (please ensure you include reference to the Centre Zone Adjustment Code Amendment, your name and contact details in the email)
- posting hard copy survey form or other written submission to 'Centres Adjustment Code Amendment' City of Marion, PO Box 21 Park Holme SA 5043.

1. What is the Planning and Design Code?

The Planning and Design Code (the Code) sets out the rules that determine what landowners can do on their land.

For instance, if you want to build a house, the Code rules will tell you how high you can build and how far back from the front of your land your house will need to be positioned. The Code will also tell you if any additional rules apply to the area where your land is located. For example, you might be in a high bushfire risk area or an area with specific rules about protecting native vegetation.

1.1 Planning and Design Code Framework

The Code is based on a framework that contains various elements called overlays, zones, sub zones and general development policies. Together these elements provide all the rules that apply to a particular parcel of land. An outline of the Code Framework is available on the PlanSA portal.

1.2 Overlays

Overlays contain policies and maps that show the location and extent of special land features or sensitivities, such as heritage places or areas of high bushfire risk.

They may apply across one or more zones. Overlays are intended to be applied in conjunction with the relevant zone. However, where policy in a zone conflicts with the policy in an overlay, the overlay policy trumps the zone policy.

1.3 Zones

Zones are areas that share common land uses and in which specific types of development are permitted. Zones are the main element of the Code and will be applied consistently across the state.

For example, a township zone for Andamooka can be expected to apply to similar townships like Carrieton. Each zone includes information (called classification tables) that describes the types of development that are permitted in that zone and how they will be assessed.

1.4 Sub zones

Sub zones enable variation to policy within a zone, which may reflect local characteristics. An example is Port Adelaide centre, which has many different characteristics to typical shopping centres due to its maritime activities and uses.

1.5 General Development Policies

General development policies outline functional requirements for development, such as the need for car parking or wastewater management. While zones determine what development can occur in an area, general development policies provide guidance on how development should occur.

1.6 Technical and Numerical Variations (TNVs)

Technical and numerical variations are specific criteria that can be applied across specific locations within Zones and Sub zones. They provide local context to locations and can cover matters such as minimum site areas, frontage widths and setbacks.

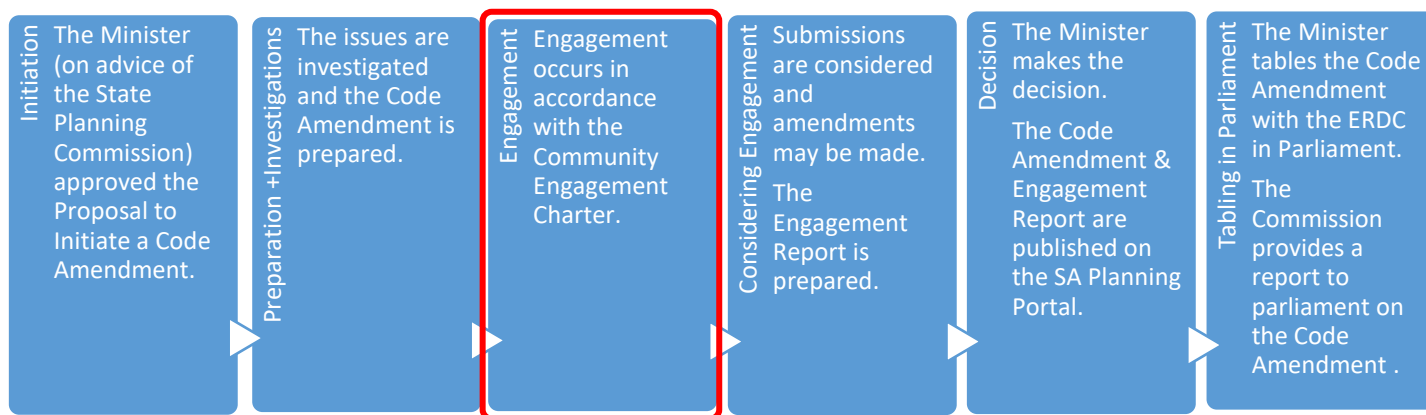
1.7 Amending the Planning and Design Code

The *Planning, Development and Infrastructure Act 2016* (the Act) provides the legislative framework for undertaking amendments to the Code. With approval of the Minister for Planning and Local Government (the Minister) a Council, Joint Planning Board, Government Agency or private proponent may initiate an amendment to the Code and undertake a Code Amendment process.

An approved Proposal to Initiate will define the scope of the Amendment and prescribe the investigations which must occur to enable an assessment of whether the Code Amendment should take place and in what form.

The State Planning Commission (the Commission) is responsible under the Act for ensuring the Code is maintained, reflects contemporary values relevant to planning, and readily responds to emerging trends and issues.

The Commission provided independent advice to the Minister for Planning and Local Government on the Proposal to initiate this Code Amendment. The Commission will also provide a report on the Code Amendment (including compliance with the Community Engagement Charter) at the final stage of the Code Amendment process.



2. What is proposed in this Code Amendment?

2.1 Need for the amendment

Council recently undertook a review of its commercial and industrial zoned properties and sought feedback about whether the current zoning of that land suited the needs of property owners now and into the future.

Through further analysis of properties within the Local Activity Centre Zone and Suburban Activity Centre Zone it is apparent that rezoning and/or realignment of zone boundaries needs to occur in certain locations to address a variety of outstanding matters including:

- where the site has, over time, been redeveloped with a land use that would be better supported by another zone (for example housing or a school)
- there has been a misalignment of zone boundary that does not spatially reflect the location of the land use and therefore is an anomaly that should be corrected
- an adjustment to the size of the zone is required to reflect the extent of retail or commercial land uses in or immediately adjacent the zone.

From the review, 11 sites were identified which displayed some inconsistencies or potential to consider a more flexible rezoning to allow other uses to occur with the Centre.

Council has sought on the benefits of a potential zoning change from land owners, to understand their future intentions and ensure that an agreed outcome is likely to be supported.

The proposed Code Amendment is an opportunity to correct current anomalies to avoid land use and policy conflict and reduce unnecessary procedural difficulties.

2.2 Affected Area/s

The proposal seeks to amend the Code for the Affected Areas, being the following parcels of land in various locations within the City of Marion, as shown in the maps in Attachment A.

- Site 1: 10 - 22 Edward Beck Drive, Sheidow Park
- Site 2: 54 and 62 Seacombe Road Darlington
- Site 3: 97A, B, C, D, E McInerney Avenue, Mitchell Park
- Site 4: 32 Finnis Street, Marion
- Site 5: 29B-29E, Dwyer Road, Oaklands Park
- Site 6: 26-28 Daws Road, Ascot Park
- Site 7: 1C, D and E Winton Street, Warradale
- Site 8: 506 Cross Road 23 Almond Grove Glandore
- Site 9: 51-57 Harbrow Grove, Seacombe Gardens
- Site 10: 66 Sixth Avenue, Ascot Park
- Site 11: 1A Greenfield Road, Seaview Downs

2.3 Summary of proposed policy changes

2.3.1 Current Code Policy

The current code policy varies for each individual site as shown in **Attachment B**. A summary of each site and its respective Zone is as follows:

Site Locality	Current Policy
Site 1 10-22 Edward Beck Drive, Sheidow Park	Suburban Activity Centre Zone - SACZ <u>Overlays</u> • Airport Building Heights (Regulated) - All structures over 30 metres • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree <u>TNVs</u> • Minimum Building Height (Levels) (Minimum building height is 2 levels) • Maximum Building Height (Levels) (Maximum building height is 4 levels) • Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment)
Site 2 54 and 62 Seacombe Road, Darlington	62 Seacombe Road, Darlington Hills Neighbourhood Zone - HNZ 54 Seacombe Road Darlington, Suburban Activity Centre Zone - SAC <u>Overlays</u> • Airport Building Heights (Regulated) (All structures over 30 metres) • Affordable Housing (62 Seacombe Road only) • Hazards (Bushfire – Urban Interface) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management (62 Seacombe Road only) • Traffic Generating Development • Urban Transport Routes • Urban Tree Canopy (62 Seacombe Road only) <u>TNVs – 62 Seacombe Road</u> • Maximum Building Height (Metres) (Maximum building height is 9m)

Site Locality	Current Policy
	• Minimum Building Height (Levels) (Minimum building height is 2 levels) • Gradient Minimum Frontage (Detached) (Minimum frontage for detached dwellings where the site gradient is less than 1-in-8 is 18m; 1-in-8 to 1-in-4 is 20m; greater than 1-in-4 is 20m) • Gradient Minimum Frontage (Group) (Minimum frontage for group dwellings where the site gradient is less than 1-in-8 is 24m; 1-in-8 to 1-in-4 is 26m; greater than 1-in-4 is 26m) • Gradient Minimum Site Area (Detached) (Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm) • Gradient Minimum Site Area (Group) (Minimum site area for group dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm) <u>TNVs – 54 Seacombe Road</u> • Minimum Building Height (Levels) - 2 levels • Maximum Building Height (Levels) - 4 levels • Interface Height: Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment
Site 3 97A to 97E McInerney Avenue, Mitchell Park	Local Activity Centre Zone- LACZ <u>Overlays</u> • Airport Building Heights (Regulated) • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree <u>TNVs</u> • Maximum Building Height (Metres) (Maximum building height is 9m) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
Site 4 32 Finniss Street, Marion	Local Activity Centre Zone - LACZ <u>Overlays</u> • Airport Building Heights (Regulated) - All structures over 110 metres • Heritage Adjacency • Prescribed Wells Area • Regulated and Significant Tree

Site Locality	Current Policy
	<u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 9m) - Maximum Building Height (Levels) (Maximum building height is 2 levels)
<u>Site 5</u> 29B - 29E, Dwyer Road, Oaklands Park	Local Activity Centre Zone - LACZ <u>Overlays</u> - Airport Building Heights (Regulated) - Prescribed Wells Area - Regulated and Significant Tree <u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 9m) - Maximum Building Height (Levels) (Maximum building height is 2 levels)
<u>Site 6</u> 28A and B Daws Road Ascot Park	Local Activity Centre Zone - LACZ <u>Overlays</u> - Airport Building Heights (Regulated) (All structures over 45 metres) - Advertising Near Signalised Intersections - Affordable Housing - Building Near Airfields - Hazards (Flooding - Evidence Required) - Prescribed Wells Area - Regulated and Significant Tree - Stormwater Management - Traffic Generating Development - Urban Transport Routes - Urban Tree Canopy <u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 9m) - Maximum Building Height (Levels) (Maximum building height is 2 levels)
<u>Site 7</u> 1C, 1D and 1E Winton Avenue Warradale	Local Activity Centre Zone - LACZ <u>Overlays</u> - Airport Building Heights (Regulated) (All structures over 110 metres) - Building near Airfields - Hazards (Flooding - General) - Prescribed Wells Area - Regulated and Significant Tree

Site Locality	Current Policy
	<u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 12m) - Maximum Building Height (Levels) (Maximum building height is 3 levels)
<u>Site 8</u> 506 Cross Road & 23 Almond Grove Glandore	Established Neighbourhood Zone - ENZ <u>Overlays</u> - Airport Building Heights (Regulated) - All structures over 15 metres - Affordable Housing - Building Near Airfields - Character Area - MarC1 - Hazards (Flooding - Evidence Required) - Major Urban Transport Routes (506 Cross Road only) - Prescribed Wells Area - Regulated and Significant Tree - Stormwater Management - Traffic Generating Development - Urban Tree Canopy <u>TNVs</u> - Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 9m) - Minimum Site Area (Minimum site area for a detached dwelling is 420 sqm; semi-detached dwelling is 350 sqm) - Maximum Building Height (Levels) (Maximum building height is 1 level) - Site Coverage (Maximum site coverage is 40 per cent)
<u>Site 9</u> 51 to 57 Harbrow Grove Seacombe Gardens	Suburban Activity Centre Zone – SACZ <u>Overlays</u> - Airport Building Heights (Regulated) - All structures over 110 metres - Hazards (Flooding - General) - Prescribed Wells Area - Regulated and Significant Tree - Traffic Generating Development <u>TNVs</u> - Minimum Building Height (Levels) (Minimum building height is 2 levels) - Maximum Building Height (Levels) (Maximum building height is 4 levels) - Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree

Site Locality	Current Policy
	plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment)
Site 10 66 Sixth Avenue Ascot Park	Local Activity Centre Zone - LACZ <u>Overlays</u> • Airport Building Heights (Regulated) (All structures over 15 metres) • Building Near Airfields • Hazards (Flooding – General) • Prescribed Wells Area • Regulated and Significant Tree <u>TNVs</u> • Maximum Building Height (Metres) (Maximum building height is 12m) • Maximum Building Height (Levels) (Maximum building height is 3 levels)
Site 11 1A Greenfield Road, Seaview Downs	Suburban Activity Centre Zone – SACZ <u>Overlays</u> • Airport Building Heights (Regulated) – All structures over 30 metres • Prescribed Wells Area • Regulated and Significant Tree <u>TNVs</u> • Minimum Building Height (Levels) (Minimum building height is 2 levels) • Maximum Building Height (Levels) (Maximum building height is 4 levels) • Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment)

2.3.2 Proposed Code Policy

The proposed policy changes are shown alongside the current policy in **Attachment B**.

The Code Amendment proposes the following changes:

Site Locality	Amendment Outline	Proposed Policy
Site 1 10-22 Edward Beck Drive, Sheidow Park	The former shopping centre on the site ceased operating many years ago and was subsequently given development approval as an extension to the adjacent Woodend Primary school. It is proposed to integrate the zoning so that the entire school is located within the Suburban Neighbourhood Zone.	Suburban Neighbourhood Zone - SNZ <u>Overlays</u> Maintain existing overlays, and add the following overlays: - Stormwater Management - Urban Tree Canopy <u>TNVs</u> Reflect TNVs in place fir surrounding SNZ: - Maximum Building Height (Metres) (Maximum building height is 9m) - Minimum Frontage (Minimum frontage for a detached dwelling is 14m; semi-detached dwelling is 12m; row dwelling is 8m; group dwelling is 20m; residential flat building is 20m) - Minimum Site Area (Minimum site area for a detached dwelling is 420 sqm; semi-detached dwelling is 350 sqm; row dwelling is 280 sqm; group dwelling is 300 sqm; residential flat building is 250 sqm) - Maximum Building Height (Levels) (Maximum building height is 2 levels)
Site 2 54 and 62 Seacombe Road, Darlington	There is currently a boundary misalignment where a section of the shopping centre is located within a residential type zone (HNZ) and part of the SAC Zone covers an adjacent dwelling at 52 Seacombe Road. It is proposed to realign the boundary so that the SAC Zone only covers allotments of the shopping centre.	62 Seacombe Road, Darlington – Suburban Activity Centre Zone – SAC 54 Seacombe Road Darlington, Hills Neighbourhood Zone – HNZ <u>Overlays – 54 Seacombe Road</u> Maintain existing overlays, and add the following overlays: - Affordable Housing - Stormwater Management - Urban tree Canopy Remove the following overlays: - Traffic Generating Development <u>Overlays – 62 Seacombe Road</u> Maintain existing overlays, and add the following overlays:

Site Locality	Amendment Outline	Proposed Policy
		- Traffic Generating Development Remove the following overlays: - Affordable Housing - Stormwater Management - Urban tree Canopy <u>TNVs – 62 Seacombe Road</u> - Minimum Building Height (Levels) (Minimum building height is 2 levels) - Maximum Building Height (Levels) (Maximum building height is 4 levels) - Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment) <u>TNVs – 54 Seacombe Road</u> - Maximum Building Height (Metres) (Maximum building height is 9m) - Minimum Building Height (Levels) (Minimum building height is 2 levels) - Gradient Minimum Frontage (Detached) (Minimum frontage for detached dwellings where the site gradient is less than 1-in-8 is 18m; 1-in-8 to 1-in-4 is 20m; greater than 1-in-4 is 20m) - Gradient Minimum Frontage (Group) (Minimum frontage for group dwellings where the site gradient is less than 1-in-8 is 24m; 1-in-8 to 1-in-4 is 26m; greater than 1-in-4 is 26m) - Gradient Minimum Site Area (Detached) (Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm) - Gradient Minimum Site Area (Group) (Minimum site area for group dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm)
Site 3 97A to 97E McInerney Avenue, Mitchell Park	The former shopping centre has been demolished and the site has been approved for residential dwellings. Construction of dwellings has been completed. The site is proposed to be rezoned to the GNZ	General Neighbourhood Zone- GNZ <u>Overlays</u> Maintain existing overlays, and add the following overlays: - Affordable Housing - Stormwater Management - Urban Tree Canopy

Site Locality	Amendment Outline	Proposed Policy
	to align with the zoning of the surrounding locality.	
Site 4 32 Finniss Street, Marion	Although within a centre zone, the property has been used for residential purposes for over 70 years. It is proposed to align the zoning with existing adjacent residential land uses (GNZ). The GNZ provides opportunity for mixed use development.	General Neighbourhood Zone - GNZ <u>Overlays</u> Maintain existing overlays, and add the following overlays: • Affordable Housing • Stormwater Management • Urban Tree Canopy
Site 5 29B – 29E, Dwyer Road, Oaklands Park	Although currently the shopping centre appears to be trading efficiently, a change in zone to GNZ would allow greater flexibility for future redevelopment potential, whilst allowing the centre to continue operating.	General Neighbourhood Zone - GNZ <u>Overlays</u> Maintain existing overlays, and add the following overlays: • Affordable Housing • Stormwater Management Urban Tree Canopy
Site 6 28A and B Daws Road Ascot Park	The site contains a pair of semi-detached dwellings. Currently the site (and dwellings) straddles both the LACZ and the GNZ. It is proposed to rezone the entire site to GNZ (same as adjacent residential properties) to better reflect the residential nature of the land.	General Neighbourhood Zone - GNZ <u>Overlays</u> Maintain existing overlays.
Site 7 1C, 1D and 1E Winton	The three dwellings at 1C, 1D, 1E Winton Avenue were built at the rear of an existing	Housing Diversity Neighbourhood Zone - HDNZ <u>Overlays</u>

Site Locality	Amendment Outline	Proposed Policy
Avenue Warradale	shopping centre around 2005. It is proposed to rezone the 3 properties to HDNZ (same as adjacent residential properties in near proximity to Addison Road) to better reflect the residential nature of the land.	Maintain existing overlays, and add the following overlays: - Affordable Housing - Stormwater Management - Urban Tree Canopy <u>TNVs</u> - Maximum Building Height (Levels) (Maximum building height is 2 levels) - Maximum Building Height (Metres) (Maximum building height is 9m) - Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 9m; row dwelling is 7m; group dwelling is 7m; residential flat building is 7m) - Minimum Site Area (Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 200 sqm; row dwelling is 200 sqm; group dwelling is 200 sqm; residential flat building is 200 sqm)
Site 8 506 Cross Road & 23 Almond Grove Glandore	Both properties are currently used for commercial type uses (bakery and home care products) but located in a residential type zone (ENZ). Both are located directly adjacent existing centre type uses. It is proposed to rezone the two properties to SACZ (same as adjacent centre type uses) to better reflect the commercial nature of the land and provide greater correlation with the adjoining centre uses. The land does not reflect the character attributes of the adjacent residential areas.	Suburban Activity Centre Zone - SACZ <u>Overlays</u> Maintain the current overlays and remove the following Overlays: - Affordable Housing - Character Area – MarC1 - Stormwater Management - Urban tree Canopy <u>TNVs</u> - Minimum Building Height (Levels) (Minimum building height is 2 levels) - Maximum Building Height (Levels) (Maximum building height is 4 levels) - Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment).
Site 9	Part of the shopping centre was demolished approximately 20 years	General Neighbourhood Zone - GNZ <u>Overlays</u>

Site Locality	Amendment Outline	Proposed Policy
51 to 57 Harbrow Grove Seacombe Gardens	ago and 4 dwellings were constructed on the land. It is proposed to rezone the 4 properties to GNZ (same as adjacent residential properties in the surrounding area) to better reflect the residential nature of the land.	Maintain the current overlays and remove the following Overlays: - Affordable Housing - Stormwater Management - Urban Tree Canopy Remove the following Overlay - Traffic Generating Development
Site 10 66 Sixth Avenue Ascot Park	The site is approximately 800m² in area and contains a detached dwelling. Currently the site straddles both the LACZ and the HDNZ. It is proposed to rezone the entire site to HDNZ (same as adjacent residential properties within close proximity to Railway terrace/train line) to better reflect the residential nature of the land and provide greater future redevelopment opportunity.	Housing Diversity Neighbourhood Zone - HDNZ <u>Overlays</u> Maintain the current overlays and remove the following Overlays: - Affordable Housing - Stormwater Management - Urban Tree Canopy <u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 12m) - Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 8m; row dwelling is 7m; group dwelling is 18m; residential flat building is 18m) - Minimum Site Area (Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 220 sqm; row dwelling is 170 sqm; group dwelling is 200 sqm; residential flat building is 150 sqm) - Maximum Building Height (Levels) (Maximum building height is 3 levels)
Site 11 1A Greenfields Road Seaview Downs	The land is approximately 3,150m² in area across two recently created allotments. A Child Care centre is under construction for the larger allotment, with the balance land intended to be developed for residential purposes	Hills Neighbourhood Zone <u>Overlays</u> Maintain the current overlays and add the following Overlays: - Affordable Housing - Stormwater Management - Urban Tree Canopy <u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 9m)

Site Locality	Amendment Outline	Proposed Policy
	(although no formal application has been made). A child care centre sits comfortably as a land use within the Hills Neighbourhood Zone that surrounds the site and the balance land is unlikely to be developed for a retail or commercial use, given size and location.	• Minimum Building Height (Levels) (Minimum building height is 2 levels) • Gradient Minimum Frontage (Detached) (Minimum frontage for detached dwellings where the site gradient is less than 1-in-8 is 18m; 1-in-8 to 1-in-4 is 20m; greater than 1-in-4 is 20m) • Gradient Minimum Frontage (Group) (Minimum frontage for group dwellings where the site gradient is less than 1-in-8 is 24m; 1-in-8 to 1-in-4 is 26m; greater than 1-in-4 is 26m) • Gradient Minimum Site Area (Detached) (Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm) • Gradient Minimum Site Area (Group) (Minimum site area for group dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm)

3. WHAT ARE THE NEXT STEPS FOR THIS CODE AMENDMENT?

3.1 Engagement

Engagement on the Code Amendment must occur in accordance with the Community Engagement Charter principles, which required that:

- engagement is genuine
- engagement is inclusive and respectful
- engagement is fit for purpose
- engagement is informed and transparent
- engagement processes are reviewed and improved.

An Engagement Plan has been prepared for this Code Amendment to ensure that engagement will be conducted and measured against the principles of the Charter. For more information on the Community Engagement Charter go to the PlanSA portal at (plan.sa.gov.au/en/charter).

A summary of the engagement that is occurring for this Code Amendment is as follows:

- A copy of the draft Code Amendment in the SA Planning Portal.
- Information on Council's 'Making Marion' website, with information on the Code Amendment including, but not limited to a copy of the draft Code Amendment, and information on how to make a submission.

- Copies of draft Code Amendment and information brochure to be made available at Council offices and libraries.
- Invitation to prepare submissions online or via post.
- A written notice to all property owners within the affected area and other property owners immediately surrounding the affected area inviting them to review and comment on the draft policy.
- Information brochure outlining what the draft Code Amendment is about, the proposed policy amendments, how interested persons can comment.
- City of Marion social media platforms.

3.2 How can I have my say on the Code Amendment?

There are several ways in which you can provide feedback on the Code Amendment. This includes:

- a) Online on the SA Planning Portal
https://plan.sa.gov.au/have_your_say/general_consultations
- b) Via Council's Making Marion website at www.makingmarion.com.au/centresadjustment
or
emailed to: council@marion.sa.gov.au
or
- c) Posted to:
Chief Executive Officer
City of Marion
Centre Zone Adjustments Code Amendment
PO Box 21
Oaklands Park SA 5046

3.3 What changes to the Code Amendment can my feedback influence?

Aspects of the draft Code Amendment process which stakeholders and the community *can* influence are:

- The type of zone selected for the affected area and the spatial application of the zone.
- Potential applicable minimum site areas and minimum frontage widths (Technical and Numerical Variations) that are proposed for the selected zone.
- The application of the identified Overlays (or removal of relevant overlays where applicable)

As the Planning and Design Code is a State Government document that applies to the whole State (and not just Council), there is no scope for changes to the specific policy content of

Core Modules of the Code, other than where identified as a Technical and Numerical Variation (such as for building heights).

Aspects of the draft Code Amendment process which stakeholders and the community **cannot** influence are:

- The standard policies and wording contained in Zones and Overlays in the Planning and Design Code.
- The policies contained within the General Modules of the Planning and Design Code.
- The extent and placement of desired land uses.
- The design of future development proposals eg: dwelling or retail applications.

3.4 What will happen with my feedback?

Marion Council is committed to undertaking consultation in accordance with the principles of the Community Engagement Charter and is genuinely open to considering the issues raised by people in the community.

All formal submissions will be considered by Marion Council when determining whether the proposed Amendment is suitable and whether any changes should be made.

Each submission will be entered into a register and you will receive an email acknowledging receipt of your submission. Your submission will be published on the PlanSA portal. Personal addresses, email and phone numbers will not be published; however company details will be.

Marion Council will consider the feedback received in finalising the Code Amendment and will prepare an Engagement Report which will outline what was heard during consultation and how the proposed Code Amendment was changed in response to submissions.

The Engagement Report will be forwarded to the Minister, and then published on the PlanSA portal.

3.5 Decision on the Code Amendment

Once the Engagement Report is provided to the Minister, the Commission may provide further advice to the Minister, at the Minister's request, if the Code Amendment is considered significant.

The Minister will then either adopt the Code Amendment (with or without changes) or determine that the Code Amendment should not proceed. The Minister's decision will then be published on the PlanSA portal.

If adopted, the Code Amendment will be referred to the Environment Resources and Development Committee of Parliament (ERDC) for their review. The Commission will also provide the Committee with a report on the Code Amendment, including the engagement undertaken on the Code Amendment and its compliance with the Community Engagement Charter.

4. ANALYSIS

4.1 Strategic Planning Outcomes

4.1.1 Summary of Strategic Planning Outcomes

The Code Amendment seeks to remove current anomalies in zoning that exist because of anomalies to zone boundaries or where longstanding zoning policies no longer reflect land uses on the ground as a result of past and sometimes more recent development. Strategic planning is based on the principles of good planning which seek alignment between land uses and zoning to support more efficient and effective future planning and development outcomes.

The Code Amendment also seeks to provide for appropriate policy support for existing centres, as well as provide adaptability for those that are under performing so that they can adapt to contribute to housing diversity within established neighbourhoods.

4.1.2 Consistency with the State Planning Policies

The State Planning Policies (SPPs) set out the State's overarching goals and requirements for the planning system. Under section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seeks to implement the following SPPs:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<i>Principles of Good Planning</i> <i>Integrated delivery principles</i> <i>Policies, including those arising outside the planning system, should be coordinated to ensure the efficient and effective achievement of planning outcomes.</i>	The proposed Code Amendment seeks to align the most appropriate zone and policy to each affected site and existing land use (where that land use is unlikely to change for the foreseeable future) to enable/support more efficient and effective future planning outcomes.
<i>Integrated Planning</i> <i>1.7 Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.</i>	There are examples within the Council area where centres were no longer viable and have been replaced by residential housing. These sites are proposed to be rezoned to Neighbourhood Zones as part of this Code Amendment.

<i>Housing Supply and Diversity</i> <i>6.2 The timely supply of land for housing that is integrated with, and connected to, the range of services, facilities, public transport and infrastructure needed to support livable and walkable neighbourhoods.</i>	The proposed Code Amendment also seeks to rezone an existing and operating centre to a Neighbourhood Zone to provide opportunity for a greater diversity of appropriate forms of development to occur (mixed use) if required in the future.
--	---

4.1.3 Consistency with the Regional Plan

The directions set out in Regional Plans provide the long term vision and set the spatial patterns for future development within a region. This can include land use integration, transport infrastructure and the public realm.

The Commission has identified that the existing volumes of the South Australian Planning Strategy, prepared under the *Development Act 1993*, will apply until such time as the new Regional Plans are prepared and adopted. Refer to the PlanSA portal for more information on the Commission's program for implementing Regional Plans throughout South Australia.

Where there is conflict between a Regional Plan and the State Planning Policies, the State Planning Policies will prevail.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
No relevant priorities, policies or targets further to those mentioned in the State Planning Policies above.	

4.2 Infrastructure planning

Due to the targeted nature of the amendment, Infrastructure Planning is not required as the existing infrastructure is meeting the needs of the current land uses on the affected areas.

4.3 Investigations

4.3.1 Investigations undertaken

The table below identifies what investigations have been undertaken in for the Code Amendment.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
Commercial and Industrial Zoning Review	Council undertook a survey of owners of land within existing centres and employment lands seeking feedback on whether the current zoning of that land suited the needs of property owners now and into the future (including identification of any future plans or needs).	Prompted further analysis of individual sites in Centre Zones to determine if current zoning appropriately reflected existing land use or if zoning could be changed to provide more flexible development opportunities in future.
Centre Zone Review	Targeted desktop review of previously identified Centre Zones with the view of identifying the nature of land uses, future viability of the centre, and previous and current policy regime and its appropriateness with a view of identifying where more flexible policy arrangement better suite the specific centre circumstances.	Analysis identified 12 different centre sites where a potential alternative zoning or changes to the zoning boundaries could potentially either better reflect uses on the ground, or allow for future adaptation to support infill mixed use or housing outcomes.
Targeted land owner consultation of Centre Zone review findings.	Letter sent to all property owners and tenancies of affected sites and some adjoining landowners seeking level of support for possible rezoning.	Responses confirmed where there was a level of support for suggested changes, and resulted in 11 sites forming part of the Code Amendment.

Further details on investigations undertaken in support of the Code Amendment are included in **Attachment C**.

4.3.2 Recommended policy changes

Following is a list of the recommended Zoning policy changes which are proposed in response to the investigations undertaken in support of this Code Amendment. Further detail can be found in Attachment B:

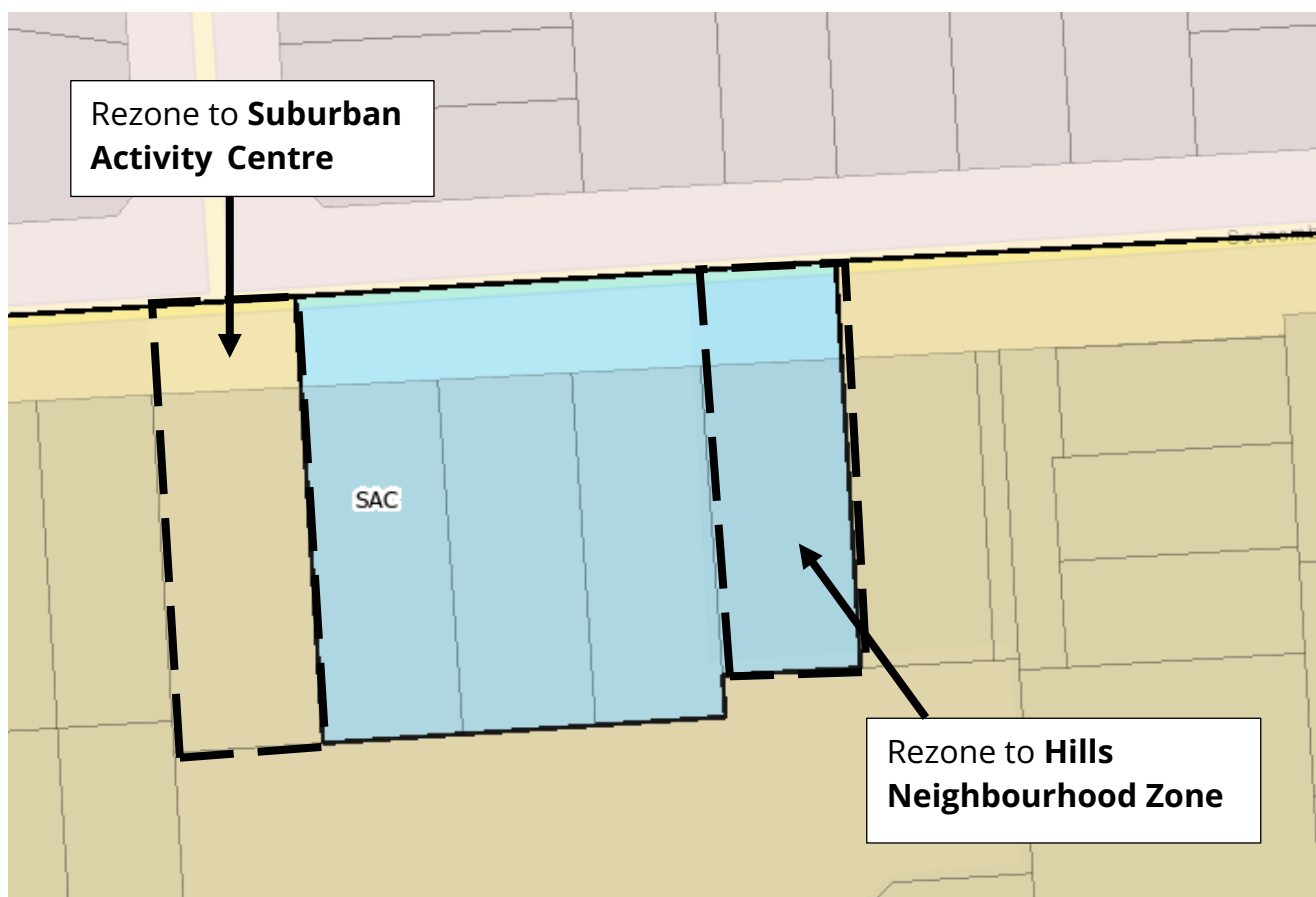
Site Locality	Current Policy	Proposed Policy
Site 1 10-22 Edward Beck Drive, Sheidow Park	Suburban Activity Centre Zone	Suburban Neighbourhood Zone
Site 2 54 and 62 Seacombe Road, Darlington	54 Seacombe Rd -Suburban Activity Centre Zone 62 Seacombe Rd - Hills Neighbourhood Zone	54 Seacombe Rd - Hills Neighbourhood Zone 62 Seacombe Rd - Suburban Activity Centre Zone
Site 3 97A to 97E McInerney Avenue, Mitchell Park	Local Activity Centre Zone	General Neighbourhood Zone
Site 4 32 Finnis Street, Marion	Local Activity Centre Zone	General Neighbourhood Zone
Site 5 29B - 29E Dwyer Road, Oaklands Park	Local Activity Centre Zone	General Neighbourhood Zone
Site 6 28A and 28B Daws Road Ascot Park	Local Activity Centre Zone	General Neighbourhood Zone
Site 7 1C, 1D and 1E Winton Avenue Warradale	Local Activity Centre Zone	Housing Diversity Neighbourhood Zone
Site 8 506 Cross Road & 23 Almond Grove Glandore	Established Neighbourhood Zone	Suburban Activity Centre Zone
Site 9 51 to 57 Harbrow Grove Seacombe Gardens	Suburban Activity Centre Zone	General Neighbourhood Zone
Site 10 66 Sixth Avenue Ascot Park	Local Activity Centre Zone	Housing Diversity Neighbourhood Zone
Site 11 1A Greenfields Drive Seaview Downs	Suburban Activity Centre Zone	Hills Neighbourhood Zone

Attachment A – Affected Area Mapping

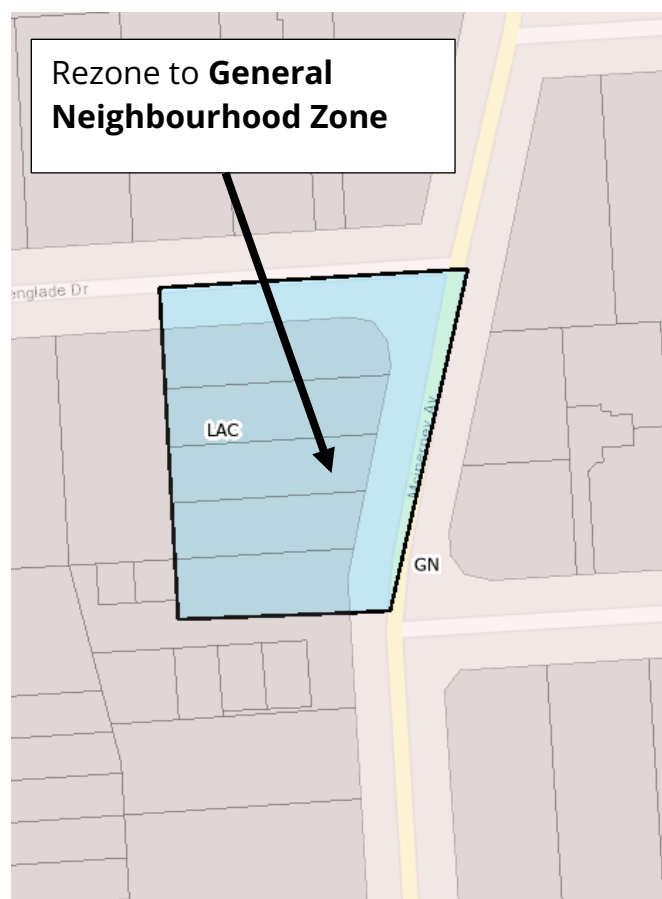
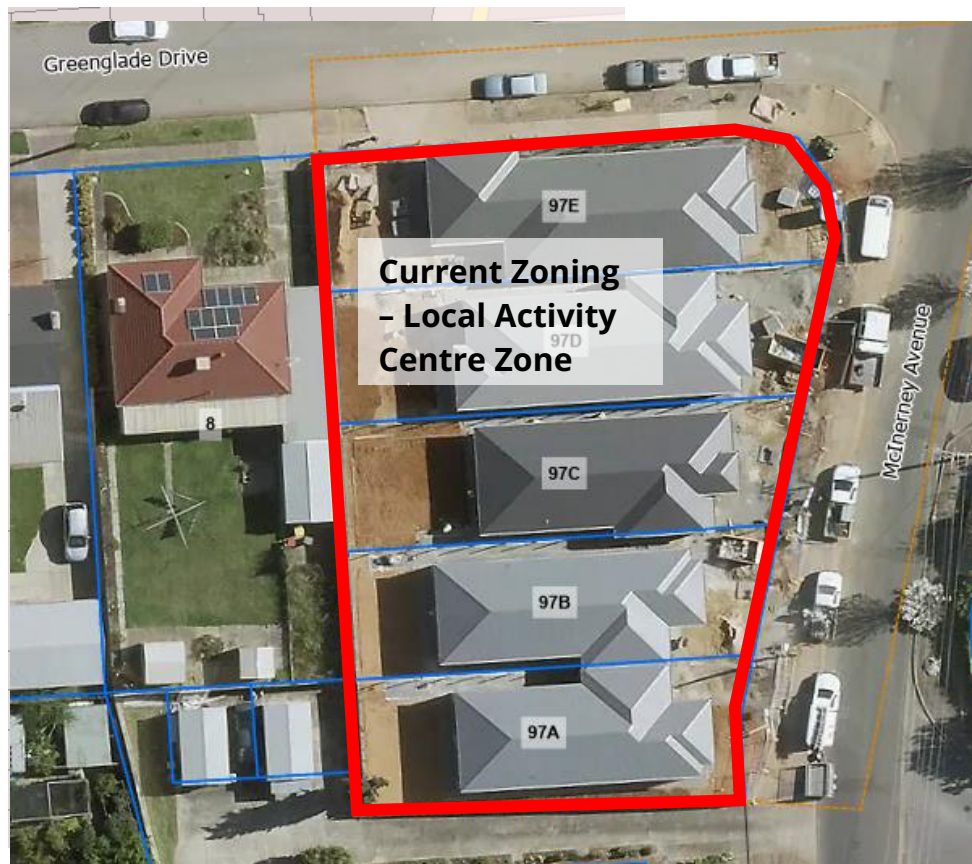
Site 1 : 10-22 Edward Beck Drive, Sheidow Park



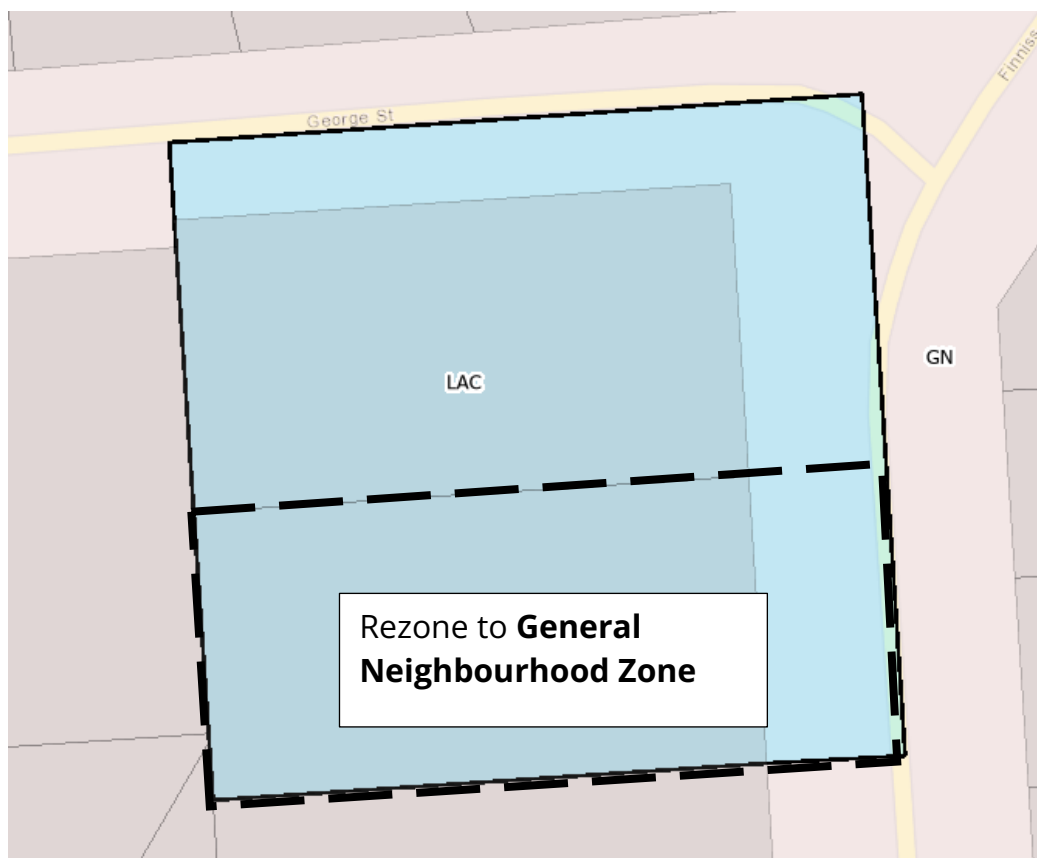
Site 2: 62 Seacombe Road, Darlington



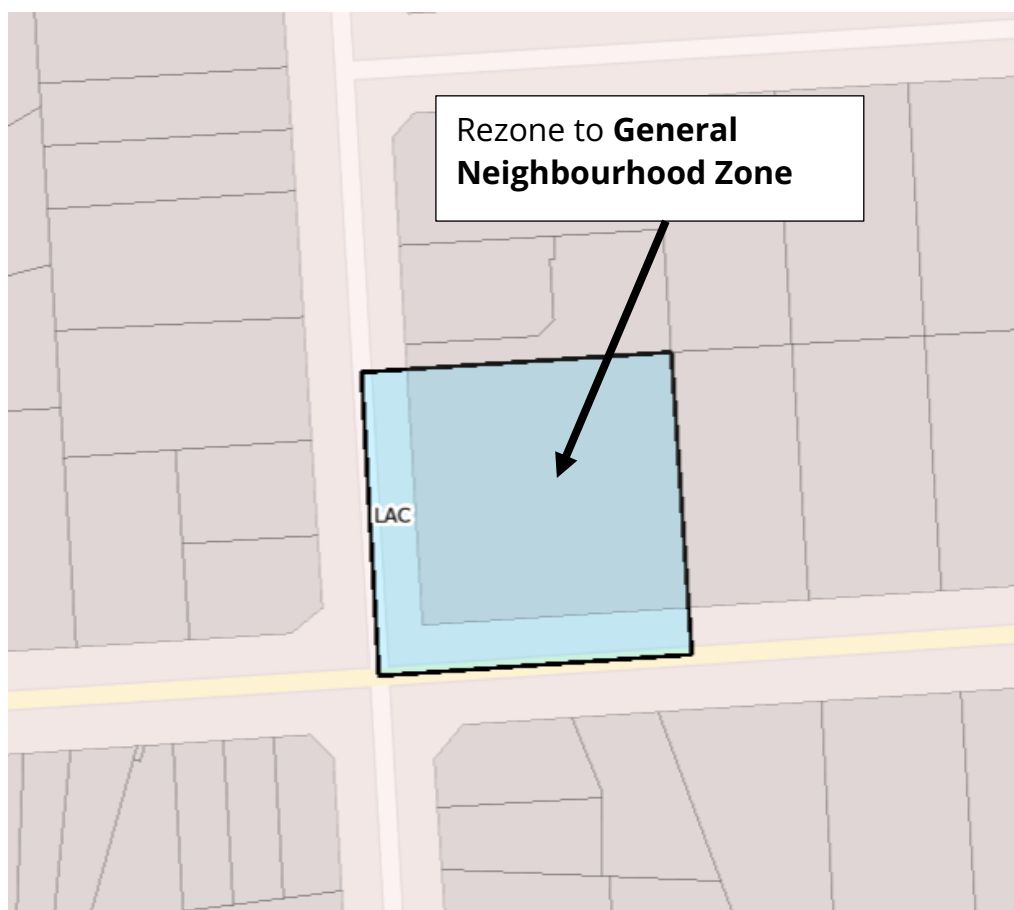
Site 3: 97A to 97E McInerney Avenue, Mitchell Park



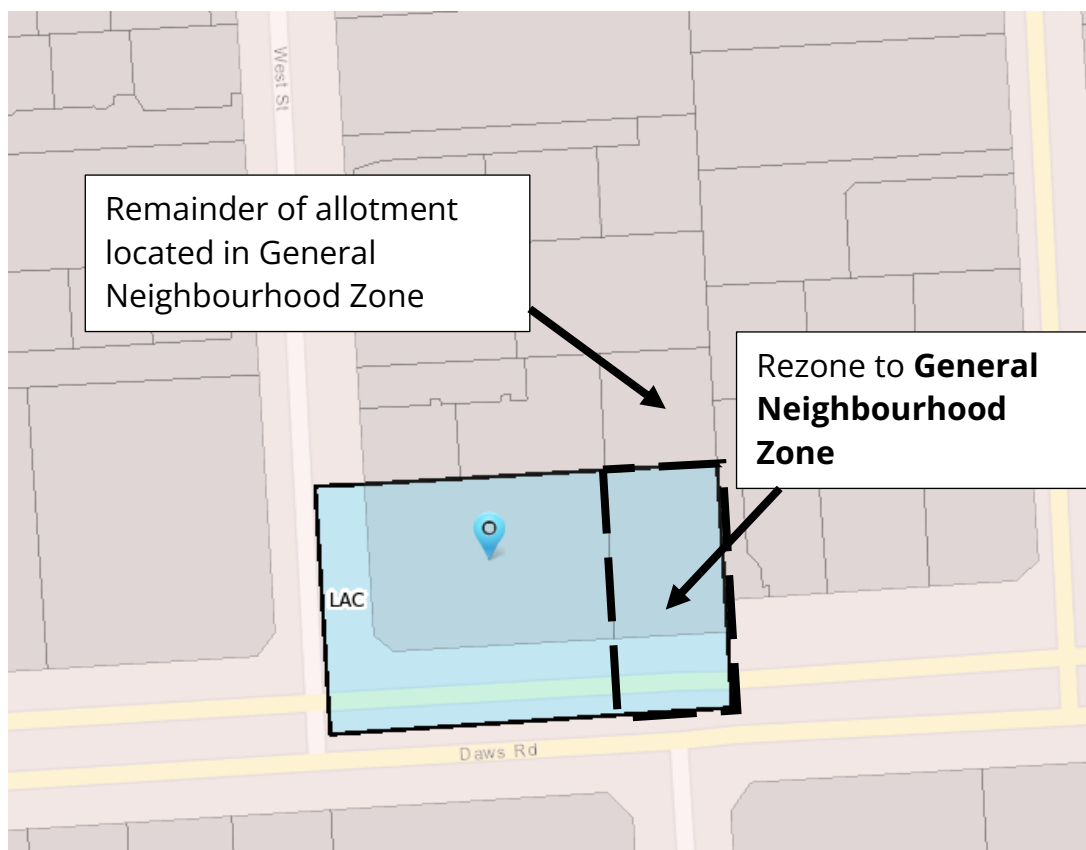
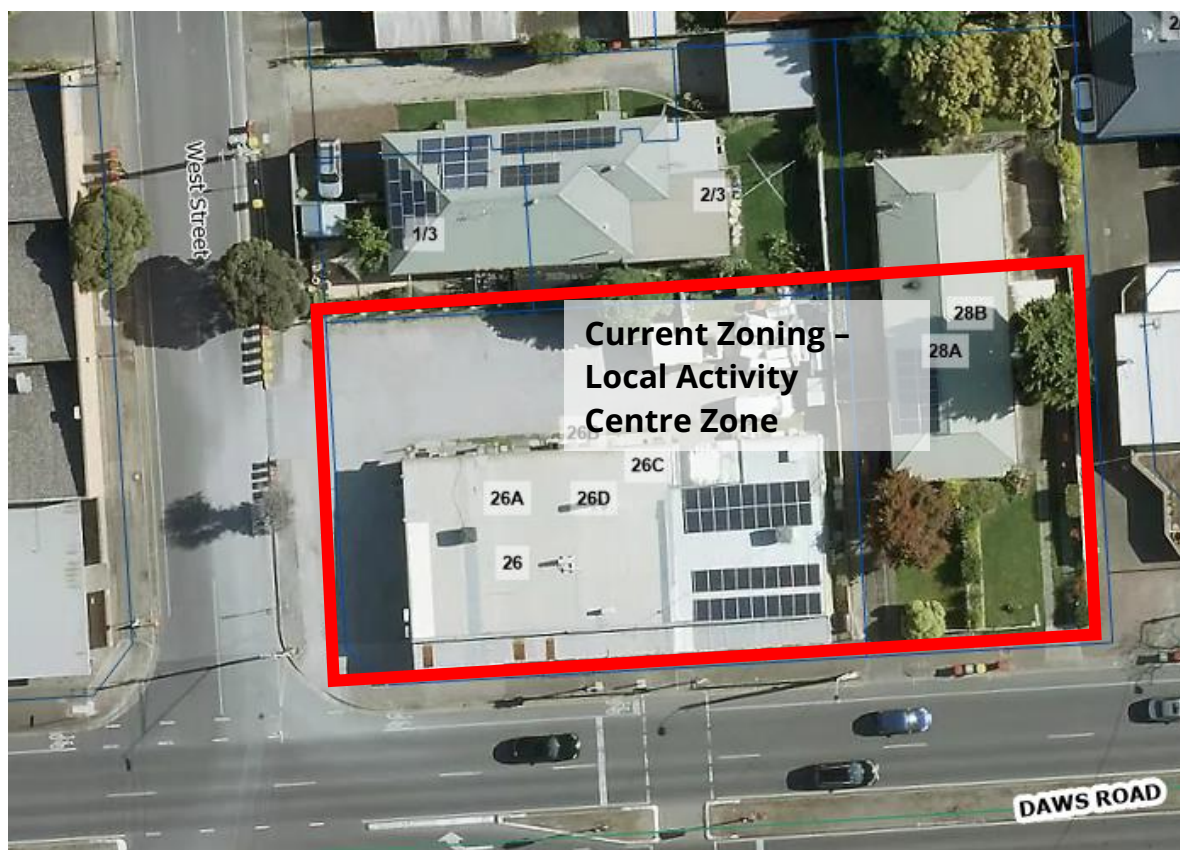
Site 4: 32 Finnis Street, Marion



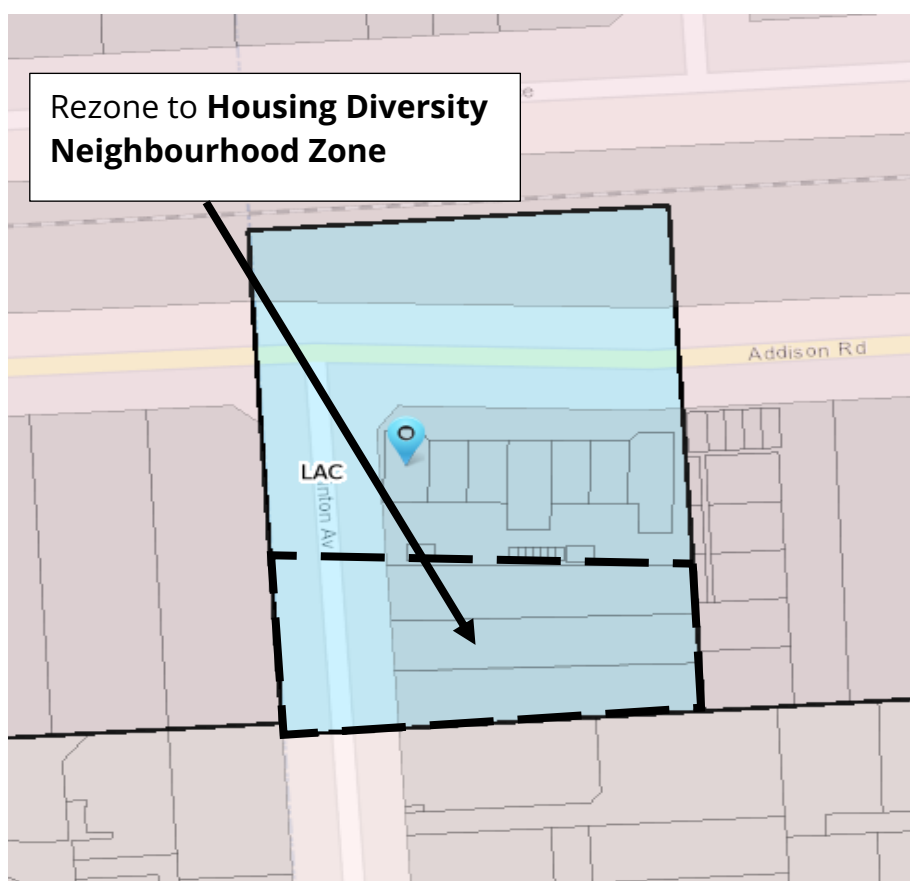
Site 5: 28B, 29CE Dwyer Road and 39B Johnstone Road, Oaklands Park



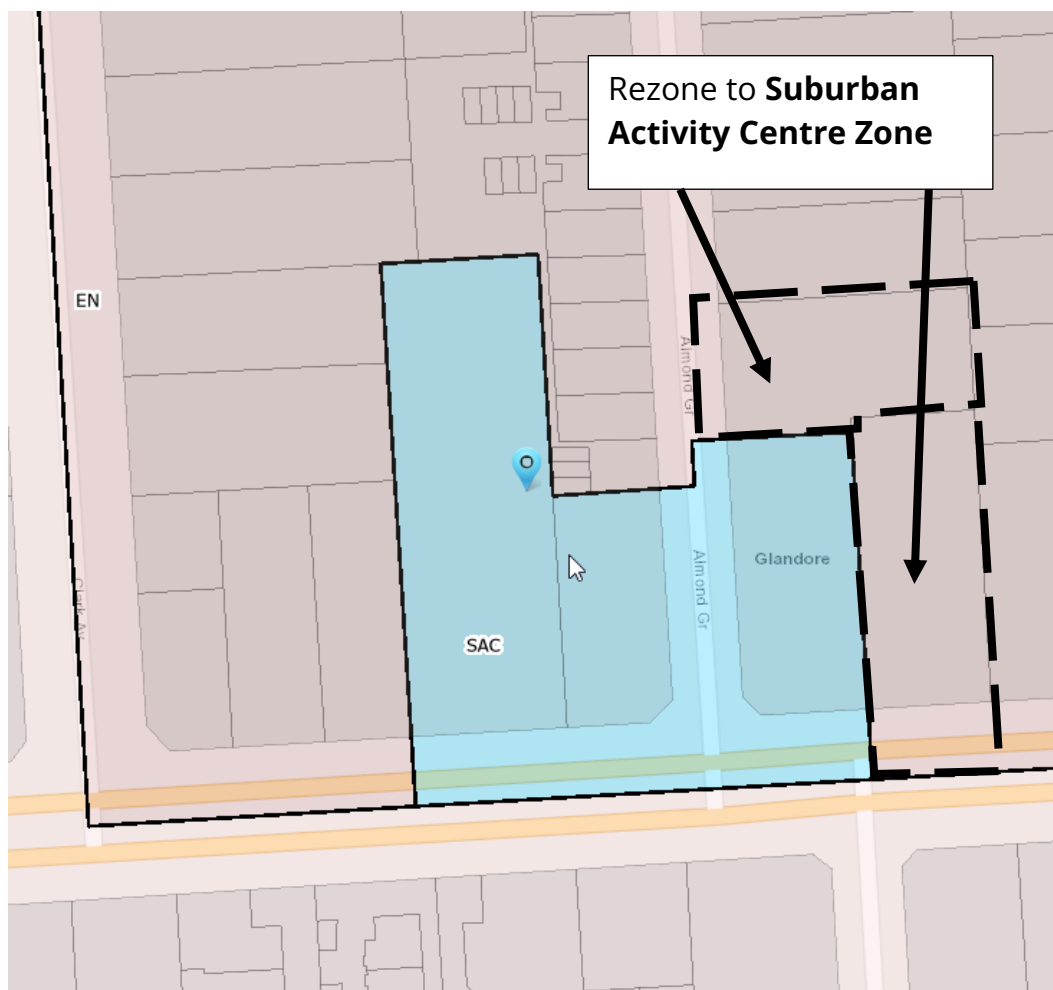
Site 6: 28A and B Daws Road, Ascot Park



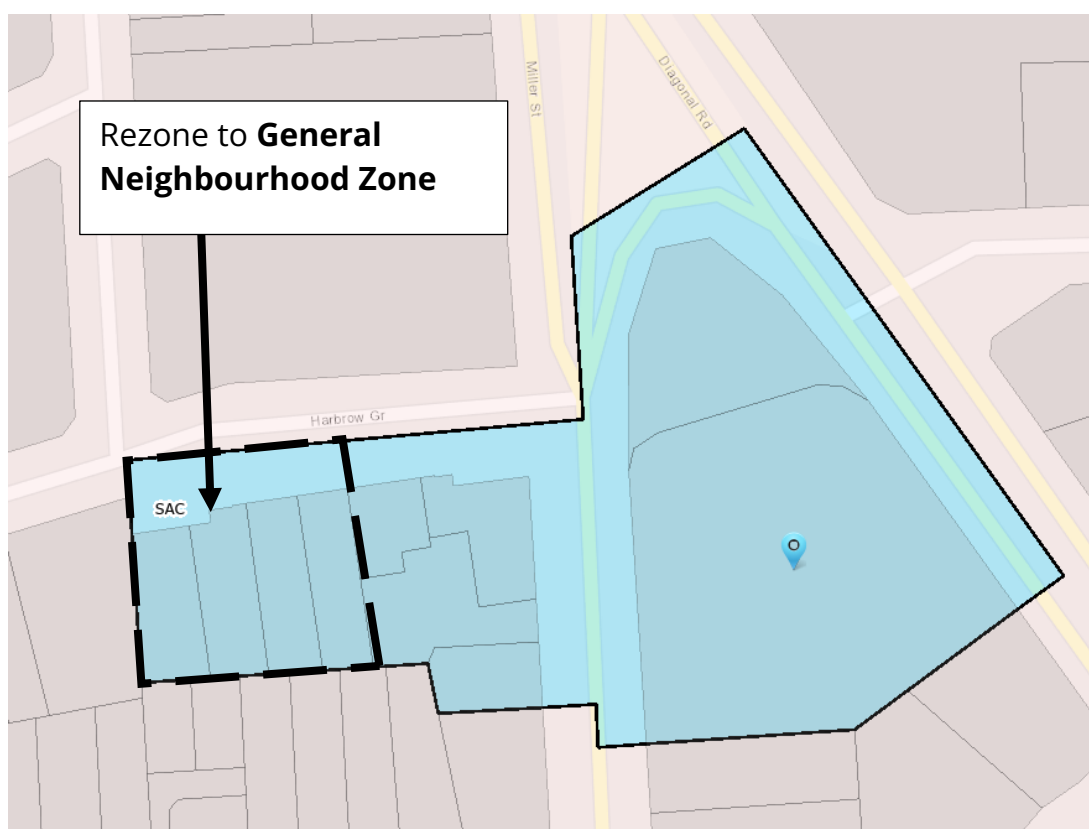
Site 7: 1C, 1D and 1E Winton Avenue, Warradale



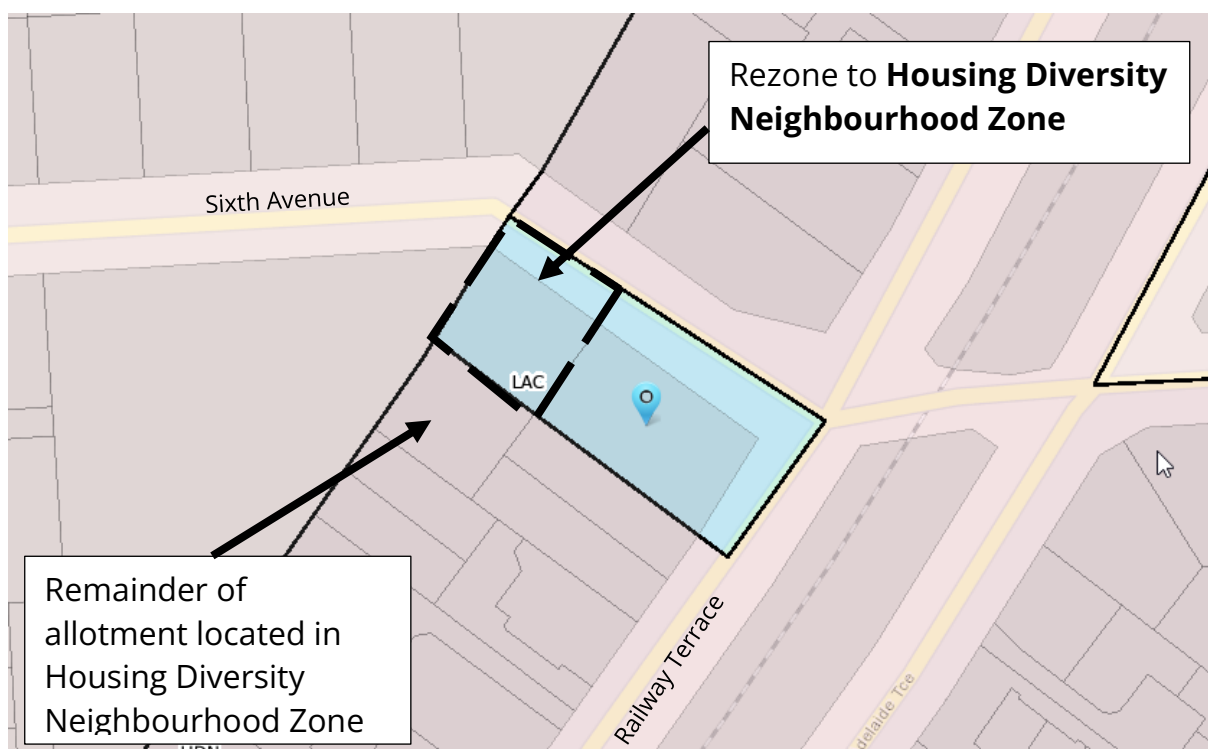
Site 8: 506 Cross Road and 23 Almond Grove, Glandore



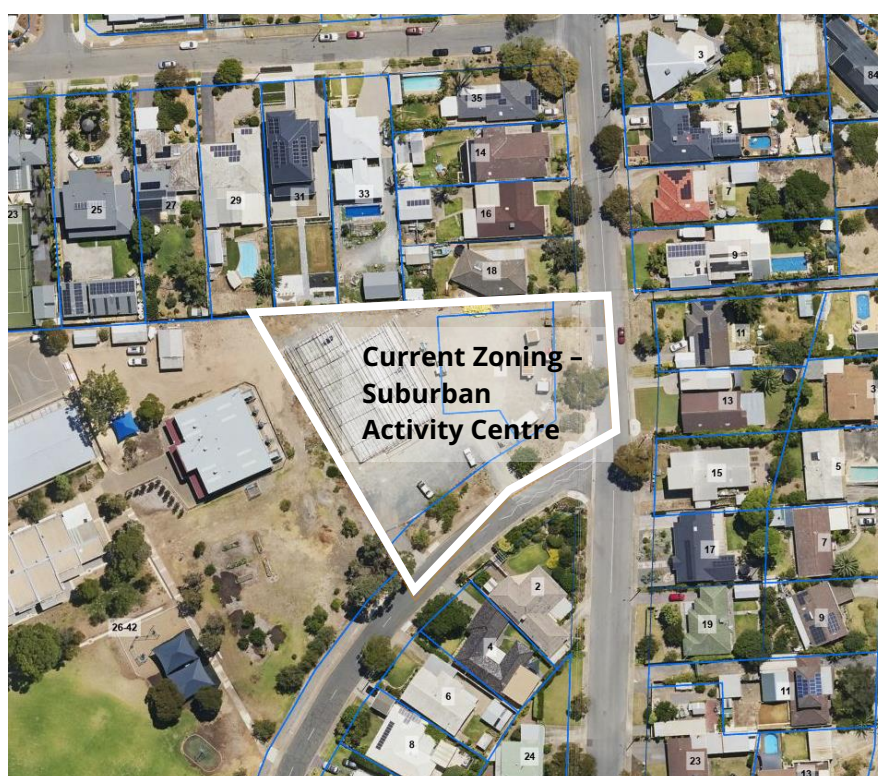
Site 9: 51 to 57 Harbrow Grove, Seacombe Gardens



Site 10: 66 Sixth Avenue, Ascot Park



Site 11: 1A Greenfields Drive, Seaview Downs



Attachment B – Current and Proposed Code Policy

The individual Affected Area has either a Neighbourhood type Zone or a Centre type Zone. The proposed zoning is also either a Neighbourhood type Zone or a Centre type Zone as delineated in the 'Affected Area' mapping in Attachment A.

Only relevant Overlays and Technical and Numerical Variations, applying to each Zone, have been included. Other policy associated with the zones has not been included as it has a state-wide context and amendment is generally restricted, so no changes are to be made.

Please refer to the Planning and Design Code https://code.plan.sa.gov.au/home/browse_the_planning_and_design_code?code=browse to view all relevant policy applying to each zone.

The table below outlines the current and proposed zoning for each site and the relevant Overlays and Technical and Numerical Variations applying to the site.

Site	Current Policy	Amendment Outline	Intended Policy
Site 1 10-22 Edward Beck Drive, Sheidow Park	Suburban Activity Centre Zone - SACZ <u>Overlays</u> - Airport Building Heights (Regulated) - All structures over 30 metres - Hazards (Flooding - Evidence Required) - Prescribed Wells Area. - Regulated and Significant Tree <u>TNVs</u> - Minimum Building Height (Levels) (Minimum building height is 2 levels) - Maximum Building Height (Levels) (Maximum building height is 4 levels) - Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment)	The former shopping centre on the site ceased operating many years ago and was subsequently given development approval as an extension to the adjacent Woodend Primary school. It is proposed to integrate the zoning so that the entire school is located within the Suburban Neighbourhood Zone.	Suburban Neighbourhood Zone - SNZ <u>Overlays</u> - Airport Building Heights (Regulated) - All structures over 30 metres - Affordable Housing - Hazards (Flooding - Evidence Required) - Prescribed Wells Area - Regulated and Significant Tree - Stormwater Management - Urban Tree Canopy <u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 9m) - Minimum Frontage (Minimum frontage for a detached dwelling is 14m; semi-detached dwelling is 12m; row dwelling is 8m; group dwelling is 20m; residential flat building is 20m) - Minimum Site Area (Minimum site area for a detached dwelling is 420 sqm; semi-detached dwelling is 350 sqm; row dwelling is 280 sqm; group dwelling is 300 sqm; residential flat building is 250 sqm) - Maximum Building Height (Levels) (Maximum building height is 2 levels)

Site	Current Policy	Amendment Outline	Intended Policy
Site 2 54 Seacombe Road, Darlington 62 Seacombe Road, Darlington	54 Seacombe Road – Suburban Activity Centre Zone - SACZ <u>Overlays</u> • Airport Building Heights (Regulated) (All structures over 30 metres) • Hazards (Bushfire – Urban Interface) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development • Urban Transport Routes <u>TNVs</u> • Minimum Building Height (Levels) (Minimum building height is 2 levels) • Maximum Building Height (Levels) (Maximum building height is 4 levels) • Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment) 62 Seacombe Road - Hills Neighbourhood Zone - HNZ <u>Overlays</u>	There is currently a boundary misalignment where a section of the shopping centre is located within a residential type zone (HNZ) and the Zone is applied to a residential property. It is proposed to realign the boundary so that the zoning aligns to the allotments that form part of the shopping centre (Suburban Activity Centre Zone)	54 Seacombe Road – Hills Neighbourhood Zone – HNZ <u>Overlays</u> • Affordable Housing • Airport Building Heights (Regulated) (All structures over 30 metres) • Hazards (Bushfire - Urban Interface) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Transport Routes • Urban tree Canopy <u>TNVs</u> • Maximum Building Height (Metres) (Maximum building height is 9m) • Minimum Building Height (Levels) (Minimum building height is 2 levels) • Gradient Minimum Frontage (Detached) (Minimum frontage for detached dwellings where the site gradient is less than 1-in-8 is 18m; 1-in-8 to 1-in-4 is 20m; greater than 1-in-4 is 20m) • Gradient Minimum Frontage (Group) (Minimum frontage for group dwellings where the site gradient is less than 1-in-8 is 24m; 1-in-8 to 1-in-4 is 26m; greater than 1-in-4 is 26m)

Site	Current Policy	Amendment Outline	Intended Policy
	- Airport Building Heights (Regulated) (All structures over 30 metres) - Affordable Housing - Prescribed Wells Area - Regulated and Significant Tree - Stormwater Management - Traffic Generating Development - Urban Transport Routes - Urban Tree Canopy <u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 9m) - Minimum Building Height (Levels) (Minimum building height is 2 levels) - Gradient Minimum Frontage (Detached) (Minimum frontage for detached dwellings where the site gradient is less than 1-in-8 is 18m; 1-in-8 to 1-in-4 is 20m; greater than 1-in-4 is 20m) - Gradient Minimum Frontage (Group) (Minimum frontage for group dwellings where the site gradient is less than 1-in-8 is 24m; 1-in-8 to 1-in-4 is 26m; greater than 1-in-4 is 26m) - Gradient Minimum Site Area (Detached) (Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm)		- Gradient Minimum Site Area (Detached) (Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm) 62 Seacombe Road - Suburban Activity Centre Zone – SACZ <u>Overlays</u> - Airport Building Heights (Regulated) (All structures over 30 metres) - Hazards (Bushfire - Urban Interface) - Prescribed Wells Area - Regulated and Significant Tree - Traffic Generating Development - Urban Transport Routes <u>TNVs</u> - Minimum Building Height (Levels) (Minimum building height is 2 levels) - Maximum Building Height (Levels) (Maximum building height is 4 levels) - Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m)

Site	Current Policy	Amendment Outline	Intended Policy
	Gradient Minimum Site Area (Group) (Minimum site area for group dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm)		above natural ground at the boundary of an allotment)
Site 3 97A to 97E McInerney Avenue, Mitchell Park	Local Activity Centre Zone- LACZ <u>Overlays</u> - Airport Building Heights (Regulated) - Hazards (Flooding - Evidence Required) - Prescribed Wells Area - Regulated and Significant Tree <u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 9m) - Maximum Building Height (Levels) (Maximum building height is 2 levels)	The former shopping centre has been demolished and the site has been approved for residential dwellings and construction complete. The site is proposed to be rezoned to the GNZ to align with the zoning of the surrounding locality.	General Neighbourhood Zone- GNZ <u>Overlays</u> - Airport Building Heights (Regulated) - All structures over 110 metres - Affordable Housing - Hazards (Flooding - Evidence Required) - Prescribed Wells Area - Regulated and Significant Tree - Stormwater Management - Urban Tree Canopy
Site 4 32 Finniss Street, Marion	Local Activity Centre Zone - LACZ <u>Overlays</u> - Airport Building Heights (Regulated) - All structures over 110 metres - Heritage Adjacency - Prescribed Wells Area - Regulated and Significant Tree	Although within a centre zone the property has been used for residential purposes for over 70 years. It is proposed to align the zoning with existing	General Neighbourhood Zone - GNZ <u>Overlays</u> - Airport Building Heights (Regulated) - All structures over 110 metres - Affordable Housing - Heritage Adjacency - Prescribed Wells Area - Regulated and Significant Tree

Site	Current Policy	Amendment Outline	Intended Policy
	<u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 9m) - Maximum Building Height (Levels) (Maximum building height is 2 levels)	adjacent residential land uses (GNZ). The GNZ provides opportunity for mixed use development.	- Stormwater Management - Urban Tree Canopy
Site 5 28B, 29CE, Dwyer Road, 39B Johnstone Road, Oaklands Park	Local Activity Centre Zone - LACZ <u>Overlays</u> - Airport Building Heights (Regulated) - Prescribed Wells Area - Regulated and Significant Tree <u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 9m) - Maximum Building Height (Levels) (Maximum building height is 2 levels)	Although currently the shopping centre appears to be trading efficiently, a change in zone to GNZ would allow greater flexibility for future redevelopment potential, whilst allowing the centre to continue operating.	General Neighbourhood Zone - GNZ <u>Overlays</u> - Airport Building Heights (Regulated) - All structures over 45 metres - Affordable Housing - Prescribed Wells Area - Regulated and Significant Tree - Stormwater Management - Urban Tree Canopy

Site 6 28A and B Daws Road, Ascot Park	Local Activity Centre Zone - LACZ <u>Overlays</u> • Airport Building Heights (Regulated) (All structures over 45 metres) • Advertising Near Signalised Intersections • Affordable Housing • Building Near Airfields • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Transport Routes • Urban Tree Canopy <u>TNVs</u> • Maximum Building Height (Metres) (Maximum building height is 9m) • Maximum Building Height (Levels) (Maximum building height is 2 levels)	The site contains a pair of semi-detached dwellings. Currently the site (and dwellings) straddles both the LACZ and the GNZ. It is proposed to rezone the entire site to GNZ (same as adjacent residential properties) to better reflect the residential nature of the land.	General Neighbourhood Zone - GNZ <u>Overlays</u> • Airport Building Heights (Regulated) (All structures over 45 metres) • Advertising Near Signalised Intersections • Affordable Housing • Building Near Airfields • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Transport Routes • Urban Tree Canopy
Site 7 1C, 1D and 1E Winton Avenue Warradale	Local Activity Centre Zone - LACZ <u>Overlays</u> • Airport Building Heights (Regulated) (All structures over 110 metres) • Affordable Housing • Building Near Airfields	The three dwellings at 1C, 1D, 1E Winton Avenue were built at the rear of an existing shopping centre around 2005.	Housing Diversity Neighbourhood Zone - HDNZ <u>Overlays</u> • Airport Building Heights (Regulated) (All structures over 110 metres) • Affordable Housing

	• Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree <u>TNVs</u> • Maximum Building Height (Metres) (Maximum building height is 12m) • Maximum Building Height (Levels) (Maximum building height is 3 levels)	It is proposed to rezone the 3 properties to HDNZ (same as adjacent residential properties in near proximity to Addison Road) to better reflect the residential nature of the land.	• Building Near Airfields • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <u>TNVs</u> • Maximum Building Height (Metres) (Maximum building height is 9m) • Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 9m; row dwelling is 7m; group dwelling is 7m; residential flat building is 7m) • Minimum Site Area (Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 200 sqm; row dwelling is 200 sqm; group dwelling is 200 sqm; residential flat building is 200 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
Site 8 506 Cross Road and 23 Almond Grove Glandore	Established Neighbourhood Zone - ENZ <u>Overlays</u> • Airport Building Heights (Regulated) - All structures over 15 metres • Affordable Housing • Building Near Airfields • Character Area - MarC1 • Hazards (Flooding - Evidence Required)	Both properties are currently used for commercial type uses (bakery and home care products) but located in a residential type zone (ENZ). Both are located directly adjacent	Suburban Activity Centre Zone - SACZ <u>Overlays</u> • Airport Building Heights (Regulated) - All structures over 15 metres • Building Near Airfields • Hazards (Flooding - Evidence Required) • Major Urban Transport Routes • Prescribed Wells Area

	- Major Urban Transport Routes (506 Cross Road only) - Prescribed Wells Area - Regulated and Significant Tree - Stormwater Management - Traffic Generating Development - Urban Tree Canopy <u>TNVs</u> - Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 9m) - Minimum Site Area (Minimum site area for a detached dwelling is 420 sqm; semi-detached dwelling is 350 sqm) - Maximum Building Height (Levels) (Maximum building height is 1 level) - Site Coverage (Maximum site coverage is 40 per cent)	existing centre type uses. It is proposed to rezone the 2 properties to SACZ (same as adjacent centre type uses) to better reflect the commercial nature of the land and provide greater correlation with the adjoining centre uses	- Regulated and Significant Tree - Traffic Generating Development <u>TNVs</u> - Minimum Building Height (Levels) (Minimum building height is 2 levels) - Maximum Building Height (Levels) (Maximum building height is 4 levels) - Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment)
Site 9 51 to 57 Harbrow Grove, Seacombe Gardens	Suburban Activity Centre Zone – SACZ <u>Overlays</u> - Airport Building Heights (Regulated) - All structures over 110 metres - Building Near Airfields - Hazards (Flooding - General) - Prescribed Wells Area - Major Urban Transport Routes	Part of the shopping centre was demolished approximately 20 years ago and 4 dwellings were constructed on the land.	General Neighbourhood Zone - GNZ <u>Overlays</u> - Airport Building Heights (Regulated) - All structures over 110 metres - Affordable Housing - Hazards (Flooding - General) - Prescribed Wells Area - Regulated and Significant Tree

	• Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development <u>TNVs</u> • Minimum Building Height (Levels) (Minimum building height is 2 levels) • Maximum Building Height (Levels) (Maximum building height is 4 levels) • Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment)	It is proposed to rezone the 4 properties to GNZ (same as adjacent residential properties in the surrounding area) to better reflect the residential nature of the land.	• Stormwater Management • Urban Tree Canopy
Site 10 66 Sixth Avenue, Ascot Park	Local Activity Centre Zone - LACZ <u>Overlays</u> • Airport Building Heights (Regulated) (All structures over 15 metres) • Affordable Housing • Building Near Airfields • Hazards (Flooding – Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree <u>TNVs</u>	The site is approximately 800m² in area and contains a detached dwelling. Currently the site straddles both the LACZ and the HDNZ. It is proposed to rezone the entire site to HDNZ (same as adjacent residential properties within close proximity to Railway terrace/train	Housing Diversity Neighbourhood Zone - HDNZ <u>Overlays</u> • Airport Building Heights (Regulated) (All structures over 15 metres) • Affordable Housing • Building Near Airfields • Hazards (Flooding – Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <u>TNVs</u>

	- Maximum Building Height (Metres) (Maximum building height is 12m) - Maximum Building Height (Levels) (Maximum building height is 3 levels)	line) to better reflect the residential nature of the land and provide greater future redevelopment opportunity.	- Maximum Building Height (Metres) (Maximum building height is 9m) - Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 8m; row dwelling is 7m; group dwelling is 18m; residential flat building is 18m) - Minimum Site Area (Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 220 sqm; row dwelling is 170 sqm; group dwelling is 200 sqm; residential flat building is 150 sqm) - Maximum Building Height (Levels) (Maximum building height is 3 levels)
<u>Site 11</u> 1A Greenfields Road, Seaview Downs	Suburban Activity Centre Zone – SACZ <u>Overlays</u> - Airport Building Heights (Regulated) – All structures over 30 metres - Prescribed Wells Area - Regulated and Significant Tree <u>TNVs</u> - Minimum Building Height (Levels) (Minimum building height is 2 levels) - Maximum Building Height (Levels) (Maximum building height is 4 levels) - Interface Height (Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment)	The land is approximately 3,150m² in area across two recently created allotments. A Child Care centre is under construction for the larger allotment, with the balance land intended to be developed for residential purposes (although no formal application has been made). A child care centre sits comfortably as a land	Hills Neighbourhood Zone <u>Overlays</u> Maintain the current overlays and add the following Overlays: - Affordable Housing - Stormwater Management - Urban Tree Canopy <u>TNVs</u> - Maximum Building Height (Metres) (Maximum building height is 9m) - Minimum Building Height (Levels) (Minimum building height is 2 levels) - Gradient Minimum Frontage (Detached) (Minimum frontage for detached dwellings

		use within the Hills Neighbourhood Zone that surrounds the site and the balance land is unlikely to be developed for a retail or commercial use, given size and location.	where the site gradient is less than 1-in-8 is 18m; 1-in-8 to 1-in-4 is 20m; greater than 1-in-4 is 20m) • Gradient Minimum Frontage (Group) (Minimum frontage for group dwellings where the site gradient is less than 1-in-8 is 24m; 1-in-8 to 1-in-4 is 26m; greater than 1-in-4 is 26m) • Gradient Minimum Site Area (Detached) (Minimum site area for detached dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm) • Gradient Minimum Site Area (Group) (Minimum site area for group dwellings where the site gradient is less than 1-in-8 is 700sqm; 1-in-8 to 1-in-4 is 900sqm; greater than 1-in-4 is 1100sqm)
--	--	--	--

Attachment C – Investigations

Investigations undertaken

The extent of investigations that have been undertaken as part of the Code Amendment process have been agreed by the Minister in the Proposal to Initiate. In addition to this, the Commission has also specified certain investigations to be undertaken to support the Code Amendment .

The following investigations have been undertaken to inform this Code Amendment:

Industrial and Commercial Zone Review

January/February 2021

Prior to the introduction of the Planning and Design Code, Council sought feedback from owners and occupiers of commercial and industrial land as to whether the proposed new zoning will meet the existing and future needs of their business.

As an initial stage of the review, Council has sought feedback from the owners and tenants of properties located within the industrial and commercial employment sector as well as those living in adjacent residential premises.

Comments were sought via a number of means:

- A covering letter and flyer were sent out to a total of 5749 persons/businesses.
- Covering information and the survey was posted on the Making Marion website.
- Comments were to be provided on-line via the Making Marion site.
- An email was sent through to various focus groups seeking comment and opportunity to attend a meeting/workshop with Council staff.

Whilst the much of the feedback related to matters already known and being considered as part of the transition to the code, it prompted a further analysis of the smaller scale shopping centres (current local and neighbourhood centre zones) to gain a better understanding of their needs and viability.

Centre Zone Review

April 2021

A simple desk top review which included previous and current (under the Code) zoning, locational mapping, google street view photographs, a summary of land uses, initial staff comment and potential future actions.

The initial desk top analysis provided some indication that many of the centres appeared to be trading appropriately and meeting the needs of the local community.

Analysis concentrated on the commercial viability of the centres and determining appropriate zoning that could allow the opportunity for a mixture and/or choice of commercial and/or residential to occur, dependent on market demand.

A comparison of each Centre was undertaken, outlining the potential for particular zones to accommodate the flexibility of land uses required by Council.

However, as many of the Suburban Neighbourhood Centres are located on main roads, their transition to a 'Neighbourhood' type zone, allowing opportunity for solely residential uses may not be appropriate due to impacts from the road.

There did appear to be an opportunity to seek rezoning of the smaller Local Activity Centres (former Local Centres), which are predominantly located within inner suburban residential streets, to the surrounding 'Neighbourhood' zone. Neighbourhood zones are principally for residential purposes, however they allow for small scale complementary non-residential uses (shop/offices etc.) to occur if they do not compromise residential amenity. Current centres would also have 'existing use rights', allowing them to remain as is.

Through further analysis of both Local Activity Centre and Suburban Activity Centre zones it became apparent that rezoning and/or realignment of zone boundaries needed to occur in some instances to address a variety of outstanding matters (site has been redeveloped, misalignment of zone boundary, need for a reduction/increase in zone boundary etc.).

Site Selection and Owner Engagement

May 2021 to May 2022

Letters were sent to the owners and occupiers of the 12 affected properties, seeking their comments/opinion on the potential zoning change to ensure that an appropriate outcome is achieved.

Comments were received for 7 out of the 12 sites and following an analysis of the feedback and contextual considerations for each site, it was determined that re-zoning was appropriate for 10 out of the 12 sites.

Since the engagement occurred, one site (1A Greenfields Road, Seacliff Park) has had approval for development which is currently under constructions, and further supported its inclusion as part of the Code Amendment, notwithstanding the landowners' position at the time of the engagement.