

Centre Zones Adjustment Code Amendment

Engagement Report

Section 73(7) of the *Planning, Development and Infrastructure Act 2016*

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1 Purpose

This report has been prepared by the City of Marion (the Designated Entity) for consideration by the Minister for Planning and Local Government (the Minister) in adopting the *Centre Zones Adjustment Code Amendment* (the Code Amendment).

The report details the engagement that has been undertaken, the outcomes of the engagement including a summary of the feedback made and the response to the feedback and the changes to the Code Amendment. In addition, the report evaluates the effectiveness of the engagement and whether the principles of the Community Engagement Charter have been achieved. Any changes to the engagement plan during the process is also outlined.

2 Introduction

This proposed Code Amendment propose to rezone 11 sites scattered throughout the Council area identified after Council reviewed its Commercial and Industrial zoned properties whose current land use don't reflect their classification.

The 11 sites are as follows:

- **Site 1:** 10 - 22 Edward Beck Drive, Sheidow Park
- **Site 2:** 54 and 62 Seacombe Road Darlington
- **Site 3:** 97A, B, C, D, E McNerney 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

The need for rezoning is derived to address a variety of outstanding irregularities, such as:

- the site has been redeveloped with other types of land use that would be better supported by another zone.
- there has been a misalignment of zone boundary that does not spatially reflect the location of the land use.
- a reduction or increase in zone boundary is required to better reflect the land uses in or immediately adjacent the zone.

The proposed amendment further seeks to provide for appropriate policy support for existing centres, as well as provide adaptability for those that are underutilised so that they can adapt to contribute to housing diversity within established neighbourhoods.

3 Engagement Approach

The process for amending a designated instrument (including the process to amend the Planning and Design Code) is set out in the *Planning, Development and Infrastructure Act 2016* (the Act). The Act requires public engagement to take place in accordance with the Community Engagement Charter.

The Designated Entity prepared an engagement plan (the Engagement Plan) to apply the principles of the Community Engagement Charter. The purpose of this engagement was to inform and consult relevant landowners and stakeholders on the proposed rezoning and/or realignment of the Affected Areas to ensure proposed changes are legible, considered and are reflective of the feedback (where appropriate) in the Code Amendment process.

The primary audience for the engagement of this Code Amendment are the affected landowners and occupiers of properties within the affected area and adjacent landowners. No registrations were received for the scheduled online information session and, as such the session was not held.

However, as a result of a poor submission return rate, following the close period, Council undertook further engagement directly with landowners, either via email or by phone, to ensure that they were aware of the Code Amendment, and to ascertain their level of support for the proposed policy changes.

3.1 Engagement Activities

Mailout to Landowners

A letter and accompanying flyer for the relevant site was posted to each of the landowners across the 11 affected sites. This equated to 28 letters being mailed. The letter and accompanying flyer described the reason for the Code Amendment, the specific properties it related to, what policy changes are proposed, where to get further information (including a date and time of a potential online engagement session (registration required) and how to make a submission.

The mailout resulted in 3 follow up phone calls from landowners, seeking clarification of particular matters, specifically how the proposal affects their property and implications of the potential policy changes (such as to rates and property values). Two of these chose not to make a submission following clarification being provided.

Making Marion Consultation Page

A Making Marion page (Council's consultation platform) was prepared which outlined the changes, the rationale for the changes, identified sites, and provided complete downloads of flyers for each site, the Code Amendment, and the Engagement Plan. Additional FAQs were also included on the page, along with a survey which sought to understand the level of support for the policy issues identified in the Code Amendment.

The page received 144 visits during the consultation period, with 64 downloads and 4 surveys completed.

Letterbox Drop to Surrounding Properties

A letterbox drop was undertaken to properties surrounding each of the 11 sites affected by the Code Amendment. The Letterbox drop included a letter and flyer which explained the proposed policy

change and the reasons why it is proposed, the affected property extent, where to get further information and how to make a submission.

Council received three follow up phone calls in response to the letterbox drop across the different sites. The issues raised within the follow ups generally sought clarification of issues, identification of concerns that were raised and provided an opportunity to further reinforce the need to make a submission. Only two of these chose to make a submission.

One respondent identified an error in one of the flyers distributed (for Site 9), and as a result, the flyer was updated, and an additional letterbox drop for those properties for Site 9 was repeated.

Follow-up calls and Emails

The lack of response and submissions received at the close of consultation prompted additional follow up phone calls and emails directly to landowners. This involved 10 phone calls (some repeated follow ups) and 9 emails.

One property (Site 2 - 62 Seacombe Road, Darlington) had changed ownership during the consultation period. As such, the new owner was separately directly engaged, to ensure they were aware of the amendment, and supported the proposal.

As a result, an additional 8 submissions were received following this additional engagement.

3.2 Mandatory Requirements

The following mandatory engagement requirements have been met:

- Notice and consultation with Council/s (via letter to the City of Holdfast Bay (as one of the sites adjoins the Council boundary with the City of Holdfast Bay)
- Notice and consultation with the Local Government Association (via letter)
- Notice and consultation with Owners and Occupiers of Land which is Specifically Impacted (letter and enclosed flyer).

4 Engagement Outcomes

Overall, there were 15 submissions received by Council, including the surveys completed, separate letters provided and follow up emails provided post consultation. There was clear support for the Code Amendment with 12 submissions (80%) received supportive. Only 3 submissions raised objections to the amendment and of these:

- one objected on the basis of the development occurring on the land before the rezoning (as opposed to any specific issue relating to the amendment itself)
- one raised concerns about the potential impact of dwellings on an existing child care centre, including the application of the Affordable Housing Overlay, despite it applying in all surrounding areas
- one raised concerns about additional potential impacts on amenity from non-residential development the amendment would allow when the site is currently used for residential purposes.

As a result of the feedback provided, additional investigations were undertaken as to the land use and status of 23 Almond Grove. It was confirmed that the premises (former bakery) has since been converted to a dwelling (subject to a retrospective development application currently in the process of

being prepared by the landowner). Given that the intent is for this property to be residential, rather than a commercial use, it was resolved that the proposed change of zoning to this specific land parcel from Established Neighbourhood Zone to Suburban Activity Centre Zone be abandoned and that the zone be retained as is. This has been discussed with the landowner who supports this approach.

5 Evaluation of Engagement

To ensure the principles of the Community Engagement Charter (the Charter) are met, an evaluation of the engagement process for the Code Amendment has occurred.

5.1 Performance Indicators for Evaluation

The minimum mandatory performance indicators have been used to evaluate engagement on the Code Amendment. These measures help to gauge how successful the engagement has been in meeting the Charter's principles for good engagement.

Evaluation of Engagement by Community Members

The minimum mandatory performance indicators required an evaluation of responses from members of the community on the engagement. This includes an evaluation of whether (or to what extent) community members felt:

1. That the engagement **genuinely sought** their input to help shape the proposed Code Amendment.
2. **Confident their views were heard** during the engagement.
3. They were given an adequate **opportunity to be heard**.
4. They were given **sufficient information** so that they could take an informed view.
5. **Informed** about why they were being asked for their view, and the way it would be considered.

This evaluation was undertaken through:

- Inclusion of a question within the Survey on the Making Marion page seeking clarification as to whether the information and intent of the code Amendment were understood
- Evaluation survey provided to all who made a submission on the Code Amendment accompanied by an email confirming what we heard and the policy changes being recommended.

Evaluation of Engagement by the Designated Entity

A further evaluation of the engagement process is required to be undertaken by (or on behalf of) the Designated Entity. The minimum performance indicators require an evaluation by the Designated Entity of whether (or to what extent) the engagement:

1. Occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme.
2. Contributed to the substance of the final draft Code Amendment.
3. Reached those identified as communities or stakeholders of interest.
4. Provided feedback to community about outcomes of engagement.
5. Was reviewed throughout the process and improvements put in place, or recommended for future engagement.

The evaluation of the engagement was undertaken by David Barone, Senior Strategic and Policy Planner, City of Marion on behalf of the Designated Entity. The results of the evaluation are contained in Attachment 2 to this Engagement Report.

5.2 Evaluation against the Charter principles

The following is a summary of the evaluation of the engagement against the five principles of the Charter. The Evaluation survey unfortunately only attracted 2 of the 15 respondents to provide feedback. The full results of the evaluation can be found in Attachment 2 to this Engagement Report.

(1) Engagement is genuine

People had faith and confidence in the engagement process.

The Making Marion reach demonstrate that participants considered the engagement process was genuine. The fact that the Making Marion page attracted 144 visits and 64 downloads of materials, despite not completing the surveys indicated that people were comfortable with the proposal and process. This is supported by the evaluation survey feedback which indicated that participants either somewhat or strongly agreed.

It demonstrates that engagement reached surrounding landowners as well as landowners and provided them with the opportunity to be informed.

As a result of the letterbox drop to neighbouring properties, a range of issues were able to be clarified to these community members, and it also informed a change to the Code Amendment.

Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I feel the engagement genuinely sought my input to help shape the proposal (Principle 1)				50%	50%

(2) Engagement is inclusive and respectful

Affected and interested people had the opportunity to participate and be heard.

The engagement reach of 144 page visits (63% of those directly notified) and 64 (44% of visitors) downloaded relevant materials in the context of the small, targeted consultation indicates engagement was inclusive. This is supported by the Evaluation Survey feedback where respondents both strongly agree.

Importantly, discussions with landowners and their representatives also highlighted the Code Amendment's existence and provided necessary clarifications, without translating to a submission. Those who wanted to, were given the opportunity to participate in the process, even after the completion of the formal consultation period.

Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I am confident my views were heard during the engagement					100%

(3) Engagement is fit for purpose

People were effectively engaged and satisfied with the process.

People were clear about the proposed change and how it would affect them.

Of those who completed the Making Marion Survey, all but one answered yes to the question about whether the intent of the Code Amendment and information was clear and easy to understand. Of the person who answered no, appreciative feedback was provided following further clarification and follow up, expressing appreciation for detailing reply and clarification for all points raised within the submission, including the redistribution of information leaflets as a result of an error.

The fact that there were specific follow ups with landowners, directly inviting them to express their position on the Code Amendment, despite the closure of the engagement period, demonstrates that were given ample opportunity to be heard. This includes purposefully seeking out and engaging directly with the new owner of one of the sites for the rezoning (which had settled during the engagement period).

Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I was given an adequate opportunity to be heard				100%	
I was given sufficient information so that I could take an informed view					100%

(4) Engagement is informed and transparent

All relevant information was made available, and people could access it.

People understood how their views were considered, the reasons for the outcomes and the final decision that was made.

The fact that there were so few submissions/surveys, despite 64 downloads and 144 Making Marion page views implies that people were suitably informed about the intent and changes proposed by the Code Amendment such that they did not feel it warranted commenting.

Participant input was valuable in the final format of the Code Amendment, influencing a change to one specific site that better reflected circumstances and addressed concerns of the adjacent landowner.

Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I felt informed about why I was being asked for my view, and the way it would be considered.				50%	50%

(5) Engagement processes are reviewed and improved

The engagement was reviewed, and improvements recommended.

Review of materials for Site 9 was undertaken following receipt of one submission questioning as to whether there was an error in interpretation. This included acknowledgment of the error, and correction of the flyer on digital platforms, as well as re-letterbox dropping those properties for Site 9.

The review of the engagement occurred at the conclusion of the process following a lack of submissions received. In retrospect, a follow up should have been made with landowners, particularly in light of the lack of response / interest in the planned digital online information session. This would have confirmed receipt of documentation, as well as reinforced the ability to get more information and Council's desire to make sure all landowners provided their position on the proposed amendment. This could also have occurred closer to the consultation closure as a reminder for people to make submissions.

Given the limited scope and very targeted nature of the Code Amendment, activities may have potentially been able to be more direct with landowners (one-on-one calls and meetings), to ensure cut through and clarity in positions (even if no submissions is formally made).

Resourcing with other concurrent larger scale and resource intensive Code Amendment engagement processes occurring at the time prevented this from occurring, and this is a potential learning for future Code Amendment engagement processes and scheduling.

6 Refer to the Minister for Planning and Local Government

On 12 December 2023 the Designated Entity approved the Code Amendment and this Engagement Report to be furnished on the Minister for Planning and Local Government.

Attachments

- 1 Summary of Written Submissions
- 2 Evaluation Results
- 3 Copy of Submissions Received

Centre Zone Adjustment Code Amendment
Engagement Summary

Attachment 1 - Summary of Written Submissions

Centre Zone Adjustment Code Amendment

Engagement Summary

No.	Author Address/email	Theme	Summarised comments	Response by City of Marion	Proposed Policy Amendment
1	Henry Novello [REDACTED] [REDACTED] (Site 9)	Support	Supports the Code Amendment	Noted	Nil
2	Pierre [REDACTED] [REDACTED] [REDACTED] (Site 1)	Support	Supports the Code Amendment	Noted	Nil
3	Julia Cox [REDACTED] [REDACTED] (Site 8)	Impacts of commercial development	Does not support	Noted	
			3.1 Would like 23 Almond Grove to stay residential and not light activity 3.2 Change in zoning would support more noise and traffic 3.3 23 Almond Grove is being used for residential anyway.	Further clarification of the nature of the use of 23 Almond Grove has been undertaken in response to query. Confirmation if a residential use supports the retention of the site within the Established Neighbourhood Zone. The remainder of the Activity Centre would continue to be operational (including with 506 Cross Road in it) with little implications for 23 Almond Grove.	Retain 23 Almond Grove Glandore within the Established Neighbourhood Zone.
4	Ivana Annear [REDACTED] [REDACTED] (Site 3)	Procedural	4.1 Does not support 4.2 Concerned that this is now being proposed given the shops have already been demolished and developed for housing. 4.3 How was this able to occur before the rezoning?		Nil
5	Rob Foscaro [REDACTED] [REDACTED] [REDACTED] (Site 4)	Support	5.1 Supports the Code Amendment	Noted.	Nil
6	Fiona Barden & Paul Heidenreich [REDACTED] [REDACTED]	Impacts of residential	6.1 Does not support 6.2 Change from Suburban Activity Centre Zone to Hills Neighbourhood Zone does not make sense.	Disagree. The intent to so align policy with the likely use of the land. The recent childcare centre development is supported by and sits well within the Hills Neighbourhood Zone, and the remaining vacant land is	Nil

Centre Zone Adjustment Code Amendment

Engagement Summary

No.	Author Address/email	Theme	Summarised comments	Response by City of Marion	Proposed Policy Amendment
	(Site 11)			more likely to be development for residential development into the future. A policy framework that ensures a more contextual development is more appropriate and the Hills Neighbourhood Zone fits this purpose.	
			6.3 Inappropriate to allow dwellings to be built right next to child care centre in this circumstance.	Disagree. Childcare centres are typically located across metropolitan areas amongst residential communities. While potential impacts of the centres from noise and traffic need to be mitigated, there are a range of policies that are applicable to guide these design and operational issues. Concerns about privacy are also addressed through other policies within the general section of the Code.	Nil
		Building Height / Overlooking	6.4 Concerned about application of Affordable Housing Overlay resulting in double storey buildings looking down into child care centre. Any double storey buildings would be inappropriate.	Disagree. The Affordable housing Overlay already exists in the surrounding properties (which border the childcare centre) and in itself does not dictate the building heights across the area. In any event, the existing Suburban Neighbourhood Zone would support heights up to four building levels, which exceeds that of the Hills Neighbourhood Zone (2 building levels).	Nil
		Suitability of land	6.5 Believes the remaining vacant land on this site could accommodated potentially two commercial tenancies to complement the child care centre.	Disagree. The remaining vacant land is of limited size to support an economically viable commercial development where car parking will take up a large proportion of the site. Multi-storey commercial building is an option within the zone, however, is unlikely to be economic, as evidenced by the long period of time in which to the site remained empty.	Nil
7			7.1		

Centre Zone Adjustment Code Amendment
Engagement Summary

No.	Author Address/email	Theme	Summarised comments	Response by City of Marion	Proposed Policy Amendment
	Marc Duncan (Future Urban) on behalf of Emmett Halifax No 2 Pty Ltd [REDACTED] (Site 11)		8 Supports the Code Amendment and Council is to be commended in making the proposed policy changes. 8.1 Land has little to zero natural features that allow it to act as a viable centre. 8.2 The remaining vacant land is insufficient size to accommodate commercial development due to parking rates and space that will take up.	Noted Agree and this forms the basis for the Code Amendment (particularly for this site).	Nil
8	Alexandra Wood SA Housing Authority [REDACTED] (Site 6)		Supports the Code Amendment 8.1 The change will not impact on the Authority's ability to operate the existing public housing 8.2 The proposal won't impact the authority's ability to reasonably redevelop the land for residential purposes 8.3 The transition from neighbouring land is not anticipated to create impacts for tenants.	Noted and agree.	Nil
9	Zhihan Le [REDACTED] (Site 3)	Support	9.1 I have no issue with 97B McInerney Avenue Mitchell Park becoming residential.	Noted.	Nil
10	Ben Oweis [REDACTED] (Site 3)	Support	I am supportive of the rezone to General Neighbourhood Zone.	Noted	Nil
11	David Branford [REDACTED] (Site 9)	Support	Proposed change seems reasonable to me and I'm happy for the amendment to proceed.	Noted	Nil
12	James Dungey [REDACTED] (Site 3)	Support	I am happy for my zoning to be amended to a General Neighbourhood Zone.	Noted	Nil

Centre Zone Adjustment Code Amendment
Engagement Summary

No.	Author Address/email	Theme	Summarised comments	Response by City of Marion	Proposed Policy Amendment
13	Common Equity Housing SA [REDACTED] [REDACTED] (Site 9)	Support	Common Equity Housing SA is supportive of the proposal.	Noted	Nil
14	Kashifk Ahmad [REDACTED] [REDACTED] (Site 3)	Support	I am OK as long as it benefits me without having to pay extra rates.	Noted. The Code Amendment does not change the manner in which the property is rated as this is based on land use. Given that the property has already been developed for residential purposes, this will not change.	Nil
15	John Giangregorio [REDACTED] [REDACTED] [REDACTED] (Site 2)	Support	I support the rezoning of the portion of land at 62 Seacombe Road Darlington (westernmost allotment) from the current Hills Neighbourhood Zone to Suburban Activity Centre Zone to match the remainder of the centre and reflect the commercial nature of the land.	Noted	Nil

Attachment 2 - Evaluation Results

Results of the community minimum mandatory evaluation indicators

	Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
1	I feel the engagement genuinely sought my input to help shape the proposal (Principle 1)				50%	50%
	Comments:					
2	I am confident my views were heard during the engagement (Principle 2)					100%
	Comments:					
3	I was given an adequate opportunity to be heard (Principle 3)				100%	
	Comments:					
4	I was given sufficient information so that I could take an informed view. (Principle 3)					100%
	Comments:					
5	I felt informed about why I was being asked for my view, and the way it would be considered. (Principle 4)					100%
	Comments:					

Results and Evaluation of Designated Entity's engagement

The engagement was evaluated by David Barone, Senior Strategic and Policy Planner with the City of Marion.

	Evaluation statement	Response options (<i>Select answer</i>)
1	Engagement occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme (Principle 1)	- Pre-Code Amendment engagement occurred with landowners to gauge support for Code Amendment and inclusion of their site. (ie. when there was opportunity for input into scoping). - Engaged when there was opportunity for minor edits to final draft
2	Engagement contributed to the substance of the Code Amendment (Principle 1)	In a moderate way It confirmed support for the majority of policy changes as well as influenced a change to one specific site.
3	The engagement reached those identified as the community of interest (Principle 2)	- Representatives from some community groups participated in the engagement. - Initial landowner feedback was disappointing and required more direct follow up prompts.
4	Engagement included the provision of feedback to community about outcomes of their participation	- Formal response to submissions where questions or misunderstanding raised. - Informally through summary email distributed with the invitation to complete the Evaluation Survey.
5	Engagement was reviewed throughout the process and improvements put in place, or recommended for future engagement (Principle 5)	- Reviewed and recommendations made in a systematic way, but failure to do so during the consultation period. - Future engagement should be programmed to avoid overlaps which can not be suitably resourced.
	Identify key strength of the Charter and Guide	- The need to plan your engagement in a systematic manner, including identification of stakeholders and their interests to inform approach. - Translation of principles into performance outcomes.
	Identify key challenge of the charter and Guide	Resourcing of engagement is a challenge, particularly when participants are reluctant to participate in the process, and multiple engagement activities are occurring concurrently.

Centre Zone Adjustment Code Amendment
Engagement Summary

Attachment 3 – Copy of Submissions Received



Respondent No: 2

Login: [REDACTED]

Email: [REDACTED]

Responded At: Oc 03, 2023 10:29:53 am

Last Seen: Oc 03, 2023 10:29:53 am

IP Address: n/a

Q1. Street name	arbrow Grove
Q2. Suburb	SEACOMBE GARDENS, SA
Q3. Please nominate which site your comments relate to.	S e 9 (51-57 arbrow Grove)
Q4. Have you read the Draft Code Amendment or Code Amendment Fact Sheet?	Code Amendmen
Q5. Is the intent of the proposed policy changes clear and easy to understand?	Yes
Q6. Do you support the proposed changes to the zoning as identified?	Suppor
Q7. If you do not support, please let us know why and tell us if you have another zone suggestion?	
no answered	
Q8. Do you support the application of the Overlays?	Suppor
Q9. If you do not support, please explain why.	
no answered	
Q10. Feel free to make any other comments on the draft Code Amendment.	
no answered	



Respondent No: 5

Login: [REDACTED]

Email: [REDACTED]

Responded At: Oc 16, 2023 10:37:43 am

Last Seen: Oc 16, 2023 00:07:14 am

IP Address: 114.30.104.209

Q1. Street name	Spinnaker Circuit
Q2. Suburb	S EIDOW PARK, SA
Q3. Please nominate which site your comments relate to.	se1
Q4. Have you read the Draft Code Amendment or Code Amendment Fact Sheet?	Code Amendment
Q5. Is the intent of the proposed policy changes clear and easy to understand?	Yes
Q6. Do you support the proposed changes to the zoning as identified?	Support
Q7. If you do not support, please let us know why and tell us if you have another zone suggestion?	no answered
Q8. Do you support the application of the Overlays?	Support
Q9. If you do not support, please explain why.	no answered
Q10. Feel free to make any other comments on the draft Code Amendment.	no answered



Respondent No: 6

Login: [REDACTED]

Email: [REDACTED]

Responded At: Oc 17, 2023 09:58:40 am

Last Seen: Oc 17, 2023 09:58:40 am

IP Address: n/a

Q1. Street name 21 A mond grove

Q2. Suburb GLANDORE, SA

Q3. Please nominate which site your comments relate to. 23 A mond Grove, glandore

Q4. Have you read the Draft Code Amendment or Code Amendment Fact Sheet? No her

Q5. Is the intent of the proposed policy changes clear and easy to understand? No

Q6. Do you support the proposed changes to the zoning as identified? Do not support

Q7. If you do not support, please let us know why and tell us if you have another zone suggestion?

I would like no. 23 A mond Grove to stay residential, not change to commercial

Q8. Do you support the application of the Overlays? No Sure

Q9. If you do not support, please explain why.

It has always been a quiet area /suburb. Commercial change may mean more noise and traffic. I live next door to no. 23, and would like to stay residential as someone lives here anyway

Q10. Feel free to make any other comments on the draft Code Amendment.

Please keep 23 a mond grove residential



Respondent No: 7

Login: [REDACTED]

Email: [REDACTED]

Responded At: Oc 17, 2023 13:42:39 pm

Last Seen: Oc 17, 2023 13:42:39 pm

IP Address: n/a

- Q1. Street name McInerney Avenue
- Q2. Suburb MITCHELL PARK, SA
- Q3. Please nominate which site your comments relate to. Site 3 - McInerney Avenue
- Q4. Have you read the Draft Code Amendment or Code Amendment Fact Sheet? Code Amendment Fact sheet
- Q5. Is the intent of the proposed policy changes clear and easy to understand? Yes
- Q6. Do you support the proposed changes to the zoning as identified? Do not support
- Q7. If you do not support, please let us know why and tell us if you have another zone suggestion?
see. 10
- Q8. Do you support the application of the Overlays? Do not support
- Q9. If you do not support, please explain why.
see. 10

Q10. Feel free to make any other comments on the draft Code Amendment.

I am absolutely and utterly shocked that this is now being proposed as a code amendment given that the council go on record with the developer and has already knocked down the shops that were here and built houses on it. Now was this allowed prior to the code and land usage being amended? We raised this with our local member and were told that no, the council had already given approval to rezone these shops to residential. This is such an example of the corruption in council who seek permission to rezone and prior to being approved. I want to know HOW this has happened and WHY these houses have been built PRIOR to rezoning.

From: [REDACTED]
To: [David Barone](#)
Subject: rezoning
Date: Sunday, 15 October 2023 3:04:42 PM

Hi David, yes I would like you to change our zone from commercial to residential, thank you

[REDACTED]

From: [Electronic Mail](#)
To: [David Barone](#)
Subject: FW: Centre Zone Adjustment Code Amendment - Site 11: 1A Greenfield Road, Seaview Downs
Date: Monday, 16 October 2023 2:52:14 PM

From: [REDACTED]
Sent: Monday, October 16, 2023 2:51 PM
To: Electronic Mail <ElectronicMail@marion.sa.gov.au>
Cc: [REDACTED]
Subject: Centre Zone Adjustment Code Amendment - Site 11: 1A Greenfield Road, Seaview Downs

To the Chief Executive Officer,

Please find following our submission in regards to the proposed zoning changes for Site 11: 1A Greenfield Road, Seaview Downs however, first and foremost, there were a few misleading errors in your documentation that we feel require correction.

The pdf flyer associated with Site 11 is incorrect as it shows the current zone as a 'Suburban Activity Centre Zone' (correct) with a proposed change to a 'Suburban Activity Centre Zone'.

Further to this error, the information as to the proposed policy for this site that is included in the Code Amendment Report is, I assume, also incorrect and therefore highly misleading to interested and invested parties within the neighbourhood.

On Page 14 it is noted that the proposed policy will 'remove the following overlays', however much later in the document, on Page 43, it is noted that the proposed policy will 'add the following overlays'. Affordable Housing, Stormwater Management, and Urban Tree Canopy are listed as the relevant overlays in each section and we assume that these overlays will indeed be added but feel that clarification is important and necessary for informed and relevant feedback to be given.

This error, in particular, is incredibly misleading to anyone who was included in the submission invitation for Site 11 and should be addressed and corrected as soon as possible. We hope that an extended submission period and a second chance to submit feedback, based on the correction of the error, would be offered.

We can only assume that many people may have read the proposed changes on Page 14 and either skimmed through the remainder of the document, or perhaps not read it at all, and that they could potentially have a very different opinion of the proposed changes if they understood that the listed overlays were to be added rather than removed, as originally noted.

We note that the items our feedback can possibly influence are as follows and we make the following points on the assumption that Affordable Housing will be an added overlay rather than a removed overlay (however we are happy to be corrected!):

Type of Zone

- We do not support a zoning policy change from a Suburban Activity Centre to a Hills Neighbourhood Zone for Site 11 as it does not make sense for the site
- We feel it is highly inappropriate and irresponsible to *change* the current zoning to allow residential dwellings to be built right next to a recently built child care centre. We realise that often new child care centres would be built next to existing residential properties, however this is not the case in this situation
- Any residential dwellings, only making an assumption based on previous development attempts and the proposed overlay of 'Affordable Housing', we imagine may potentially be double story row dwellings which would then look directly down into the child care centre rooms, toileting and nappy change rooms, as well as the outdoor play area
- Your aerial site images in other areas of the document (not the incorrect pdf flyer) show that the entire site, not just the remaining as yet undeveloped parcel of land, would be changed to a Hills Neighbourhood Zone. We are confused why a child care centre would be changed to a Hills Neighbourhood Zone

The parcel of land that has recently been developed into a child care centre I would assume fulfills the zoning of Suburban Activity Centre but would not be in keeping with the Hills Neighbourhood Zone as we assume this zone is only for residential 'dwellings', however we cannot find a clear explanation online as to what exactly can be built within a Hills Neighbourhood Zone

- We see no reason why the remaining parcel of land should be changed from a Suburban Activity Centre zone other than for financially driven reasons. It makes much more sense to have some sort of building or perhaps two commercial tenancies in keeping with the child care centre and neighbouring primary school rather than open the door to the development of dwellings that would be highly out of place and not in keeping with the single freestanding homes of the area

We previously had the developer attempt to build 14 affordable housing dwellings on the entire parcel of land so we can only assume that multiple affordable housing dwellings, rather than a single freestanding home that would be in keeping with all

other dwellings existing in the area, is the end game for this remaining parcel of land

Overlays

- As mentioned above, based on previous development attempts and assuming that the proposed overlay of 'Affordable Housing' will be added rather than removed, we assume that this added overlay will potentially result in double story row dwellings which would then look directly down into the child care centre rooms, toileting and nappy change rooms, as well as the outdoor play area
- We feel that opening the door to the development of any double story residential dwelling/s built next to the child care centre is highly inappropriate, however allowing these dwellings to be sold or rented as Affordable Housing options only amplifies this
- We are strongly against the overlay of Affordable Housing being added to this site as it is not in keeping with the demographic or housing currently and historically within the area

We thank you for your time accepting and reading our submission and hope to receive a corrected proposal so we and our neighbours affected by these proposed changes can provide clear, fair and informed feedback.

Kind regards,

[REDACTED]
[REDACTED]

October 9, 2023

Warwick Deller-Coombs
Manager Development and Regulatory Services
Via email: council@marion.sa.gov.au

Dear Warwick,

CONSULTATION ON PROPOSED ZONING CHANGES – 1 GREENFIELD ROAD, SEAVIEW DOWNS

Future Urban acts for Emmett Halifax No 2 Pty Ltd, the owner of land situated at 1 Greenfield Road, Seaview Downs ('the Land').

I am in receipt of your letter to my client outlining a proposal by the Council to undertake a Code Amendment applicable to the Land.

Based upon the information provided, I am instructed to support the proposed Code Amendment.

Having reviewed the development potential for the site and also having secured approval for planning consent for the adjoining child care centre, it is abundantly clear the commercial / non-residential aspirations found in the Planning and Design Code for this land are near to non-existent.

The size of the remaining, undeveloped portion of the Land makes any commercial development undevelopable as car parking rates in the Code for that land use typology require a significant proportion to be used for that purpose.

The Land, with the exception of the recently approved child care centre, is bordered by residential development and has no frontage to any significant roads. It is limited by its lack of visibility in any potential role as a potential shopping destination. It is surrounded by competitive facilities including supermarkets and convenience stores within a five minute drive along Sturt and Brighton Roads.

Put simply, the Land has limited to zero natural features that allow it to act as a viable Centre. Consequently, the encouragement of additional residential development will not prejudice the future non-residential activity within the zone as there is no such future potential.

As the Council is clearly aware, changing demographics and the manner in which consumers access fast moving consumer goods has changed markedly in the last decade. The rise of 24/7 convenience stores annexed to retail fuel outlets and on demand services such as Uber and Doordash have effectively usurped the role of the local strip mall/centre. Where there was once the corner delicatessen servicing a local community, there is now an application on a mobile telephone providing unparalleled convenience never contemplated when the original centre zone policies were crafted.

The Council is to be commended for recognising the lacuna in the policy matrix and making the proposed changes.

Finally, it should be noted the site has sat largely vacant and underutilised for a significant period of time as a result of the mismatch in policy desires versus economic reality. The change to the zoning policies will encourage development that is compatible with the surrounding area and ensure the Land is utilised to its highest and best use.

Please do not hesitate to contact me if you need anything further.

Yours sincerely,

A handwritten signature in black ink, appearing to read "MDuncan", written in a cursive style.

Marc Duncan
Director

From: [Wood, Alexandra \(Housing\)](#)
To: [David Barone](#)
Cc: [Harris, Amanda \(Housing\)](#); [Tapscott, Kyle \(Housing\)](#)
Subject: FW: Rezoning - 28 A and 28B Daws Rd, Ascot Park
Date: Tuesday, 7 November 2023 2:19:01 PM
Attachments: [image379342.png](#)
[image908085.png](#)
[image548110.png](#)
[image247063.png](#)
[image508176.png](#)
[image896437.png](#)
[image002.png](#)
Importance: High

You don't often get email from alexandra.wood@sa.gov.au. [Learn why this is important](#)

OFFICIAL

Hi David

I have been forwarded your email on the proposed Centre Zones Adjustment Code Amendment, affecting SAHT-owned properties at 28A and 28B Daws Road, Ascot Park.

Thank you for following this up.

The Authority's planning team has now reviewed and supports the proposed rezoning as it applies to 28A and 28B Daws Road, replacing the Local Activity Zone which currently applies to the front portion of these properties with General Neighbourhood Zone. The change is supported as it:

- Is not expected to have a negative impact on the Authority's ability to operate its existing public housing 28A and 28B Daws Road.
- Is not expected to impact on the Authority's ability to reasonably develop the land for residential purposes in the future.
- The transitioning of adjoining land at 26 Daws Road from the existing small centre to a future residential use is not anticipated to create negative impacts from an asset or tenant perspective, with less potential amenity impacts for tenants than the current non-residential use.

If you need anything further from the Authority on this Code Amendment, please let me know.

If you have any future planning policy matters that you wish to discuss, please contact myself or our Senior Planner Kyle Tapscott kyle.tapscott@sa.gov.au

Kind Regards

Alex

Alexandra Wood
Manager, Portfolio Planning
Property Services
SA Housing Authority

Visit SA Housing Authority at: www.housing.sa.gov.au



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Act for a sustainable future: only print if needed.

From: Harris, Amanda (Housing) [REDACTED]
Sent: Tuesday, November 7, 2023 10:03 AM
To: Wood, Alexandra (Housing) [REDACTED]
Subject: FW: Rezoning - 28 A and 28B Daws Rd, Ascot Park
Importance: High

OFFICIAL

Hi Alex,

Can you provide some support/ direction regarding the below email.

Thanks,
Amanda

From: David Barone <david.barone@marion.sa.gov.au>
Sent: Monday, November 6, 2023 4:15 PM
To: Harris, Amanda (Housing) [REDACTED]
Subject: Rezoning - 28 A and 28B Daws Rd, Ascot Park
Importance: High

You don't often get email from david.barone@marion.sa.gov.au. [Learn why this is important](#)

Hi Amanda

I understand that Anthea from your office forwarded to you an email regarding the proposed rezoning of this side and not having received a submission from SAHA as land owner during the consultation session.

Council is eager to understand the SAHA position on this Code Amendment before we finalise it for endorsement.

Please contact me if you have any questions about what is proposed.

Regards

David Barone

Senior Strategic and Policy Planner | City of Marion

PO Box 21 Park Holme SA 5043



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From: [REDACTED]
To: [David Barone](#)
Subject: Re: Proposed Rezoning of 97b McInerney Avenue, Mitchell Park
Date: Wednesday, 8 November 2023 11:34:17 AM

Hi David,
Thank you for the information, I have no issue with 97b McInerney Ave Mitchell park becomes residential area
Kind regards
[REDACTED]
Sent from my iPhone

On 8 Nov 2023, at 10:24 am, David Barone <david.barone@marion.sa.gov.au> wrote:

Hi [REDACTED]

Council wrote to you in September advising of a proposal to rezone your property at Mitchell Park as part of the Centres Zone Adjustment Code Amendment. Consultation for this Code Amendment has closed, yet we did not hear from you about whether you support this proposal.

I've attached the letter and flyer again for your information.

Council is eager to understand your position on the proposal before we finalise the Amendment and seek the Minister for Planning's approval.

Are you able to please confirm your position (reply email sufficient) as soon as possible so Council can finalise this process.

I'd be happy to chat further with you if you require further clarification of what is proposed and any implications. My direct number is 8375 6667.

Thank you

David Barone
Senior Strategic and Policy Planner | City of Marion
PO Box 21 Park Holme SA 5043

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<Site 3 - Flyer pdf>

<Site 3 97b McInerney pdf>

From: [REDACTED]
To: [David Barone](#)
Subject: Re: Proposed rezoning of your property at 97E McInerney Avenue, Mitchell Park
Date: Wednesday, 8 November 2023 1:26:57 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image436939.png](#)
[image901466.png](#)
[image274133.png](#)
[image920701.png](#)
[image443887.png](#)
[image994376.png](#)

Thanks for confirming, I am supportive of the rezone to a General Neighbourhood Zone

Kind regards,

[REDACTED]

On Wed, Nov 8, 2023 at 1:54 PM David Barone <david.barone@marion.sa.gov.au> wrote:

[REDACTED]

Thanks for your reply. Yes, it is to rezone to a General Neighbourhood Zone which is in essence a residential zone. It is to formalise the change of use on this land that occurred in constructing the houses.

Regards

David Barone
Senior Strategic and Policy Planner | City of Marion
PO Box 21 Park Holme SA 5043



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From: [REDACTED]
Sent: Wednesday, November 8, 2023 1:00 PM
To: David Barone <david.barone@marion.sa.gov.au>
Subject: Re: Proposed rezoning of your property at 97E McInerney Avenue, Mitchell Park

Hi David,

Apologies as I didn't receive the first correspondence

To confirm is this just to rezone it as a housing zone rather than what it was pre-development? (post office etc)

Kind regards,

[REDACTED]

On Wed, Nov 8, 2023 at 11:00 AM David Barone <david.barone@marion.sa.gov.au> wrote:

Hi [REDACTED]

Council wrote to you in September advising of a proposal to rezone your property at Mitchell Park as part of the Centres Zone Adjustment Code Amendment. Consultation for this Code Amendment has closed, yet we did not hear from you about whether you support this proposal.

I've attached the letter and flyer again for your information.

Council is eager to understand your position on the proposal before we finalise the Amendment and seek the Minister for Planning's approval.

Are you able to please confirm your position (reply email sufficient) as soon as possible so Council can finalise this process.

I'd be happy to chat further with you if you require further clarification of what is proposed and any implications. My direct number is 8375 6667.

Thank you

David Barone
Senior Strategic and Policy Planner | City of Marion

PO Box 21 Park Holme SA 5043



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From: [REDACTED]
To: [David Barone](#)
Subject: Re: Proposed Rezoning of your property at 55 Harbrow Grove Seacombe Gardens
Date: Wednesday, 8 November 2023 3:49:54 PM
Attachments: [image047733.png](#)
[image152312.png](#)
[image932044.png](#)
[image130414.png](#)
[image630482.png](#)
[image823322.png](#)

Hi David,

Apologies for my slowness responding to the mail - I was away and I didn't realise a response from me was required (but it is appreciated)

If I understand correctly, the proposal is to re-zone 51-57 Harbrow Grove from a Suburban Activity Centre Zone to a General Neighbourhood Zone

This seems reasonable to me and I'm happy for the Amendment to proceed

Thanks again for contacting me directly

regards

[REDACTED]

On Wed, 8 Nov 2023 at 10:34, David Barone <david.barone@marion.sa.gov.au> wrote:

Hi [REDACTED]

Council wrote to you in September advising of a proposal to rezone your property at Mitchell Park as part of the Centres Zone Adjustment Code Amendment. Consultation for this Code Amendment has closed, yet we did not hear from you about whether you support this proposal.

I've attached the letter and flyer again for your information.

Council is eager to understand your position on the proposal before we finalise the Amendment and seek the Minister for Planning's approval.

Are you able to please confirm your position (reply email sufficient) as soon as possible so Council can finalise this process.

I'd be happy to chat further with you if you require further clarification of what is proposed and any implications. My direct number is 8375 6667.

Thank you

David Barone
Senior Strategic and Policy Planner | City of Marion
PO Box 21 Park Holme SA 5043



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From: [REDACTED]
Subject: [REDACTED]
Date: Re: Proposed Rezoning of 97A McInerney Avenue Mitchell Park
Wednesday, 8 November 2023 6:26:34 PM
Attachments: [image995840.png](#)
[image644833.png](#)
[image659965.png](#)
[image557607.png](#)
[image496846.png](#)
[image983818.png](#)

Hi David,

I am happy for my zoning to be amended to a general neighbourhood zone

Let me know if there is anything further I need to do

Kind regards,
[REDACTED]

From: David Barone <david.barone@marion.sa.gov.au>
Sent: Wednesday, November 8, 2023 10:22:42 AM
To: [REDACTED]
Subject: Proposed Rezoning of 97A McInerney Avenue Mitchell Park

Hi [REDACTED]

Council wrote to you in September advising of a proposal to rezone your property at Mitchell Park as part of the Centres Zone Adjustment Code Amendment. Consultation for this Code Amendment has closed, yet we did not hear from you about whether you support this proposal.

I've attached the letter and flyer again for your information.

Council is eager to understand your position on the proposal before we finalise the Amendment and seek the Minister for Planning's approval.

Are you able to please confirm your position (reply email sufficient) as soon as possible so Council can finalise this process.

I'd be happy to chat further with you if you require further clarification of what is proposed and any implications. My direct number is 8375 6667.

Thank you

David Barone
Senior Strategic and Policy Planner | City of Marion
PO Box 21 Park Holme SA 5043



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From: [REDACTED]
Subject: RE: Proposed Rezoning - 57 Harbrow Grove, Seacombe Gardens
Date: Thursday, 9 November 2023 9:19:39 AM
Attachments: image001.jpg
image002.jpg
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png
image009.png

Hi David,

Thanks for sending this information through. Confirming that Common Equity Housing SA is supportive of the proposal.

Kind regards,

Operations Manager



Email [REDACTED] Telephone [REDACTED] Mobile [REDACTED]
Address 32 West Thebarton Road, Thebarton SA 5031 Website www.cehsa.com.au [REDACTED]
[What is Co-op Housing? Click here to find out more.](#)

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From: David Barone <david.barone@marion.sa.gov.au>
Sent: Wednesday, November 8, 2023 11:56 AM
To: [REDACTED] | Common Equity Housing SA [REDACTED]
Subject: Proposed Rezoning - 57 Harbrow Grove, Seacombe Gardens

EXTERNAL SENDER: Exercise caution before clicking on any links or opening any attachments

Thanks for taking my call today. Attached is the letter Council sent to Common Equity Housing (via PO Box 382) about the Code Amendment along with a flyer.

In a nutshell, we are looking to rezoning your property from a Centre type Zone to a Residential type zone to reflect the fact it is now residential.

While consultation has closed on the Code Amendment, Council is eager to ensure all land owners express their position before finalising the Code Amendment.

If Common Equity Housing is in support of the proposal, please let me know via reply email.

Happy to answer any other questions you may have. My direct number is 8375 6667.

Regards

David Barone
Senior Strategic and Policy Planner | City of Marion
PO Box 21 Park Holme SA 5043



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From: [REDACTED]
Subject: [David Barone](#)
Date: Re: Proposed Rezoning of 97D McInerney Avenue Mitchell Park
Thursday, 9 November 2023 10:14:45 PM
Attachments: [image180565.png](#)
[image935428.png](#)
[image724214.png](#)
[image391350.png](#)
[image056822.png](#)
[image305777.png](#)

Hi David,

What does that mean for the value of my property I am ok as long as it benefits me without having to pay extra amount

Also, I am not happy paying so much council rates already With rising mortgages and council rates, I do not want to see any additional charges due to something new

Regards
KA

On Wed, Nov 8, 2023 at 10:29 AM David Barone <david.barone@marion.sa.gov.au> wrote:

Hi [REDACTED]

Council wrote to you in September advising of a proposal to rezone your property at Mitchell Park as part of the Centres Zone Adjustment Code Amendment. Consultation for this Code Amendment has closed, yet we did not hear from you about whether you support this proposal.

I've attached the letter and flyer again for your information.

Council is eager to understand your position on the proposal before we finalise the Amendment and seek the Minister for Planning's approval.

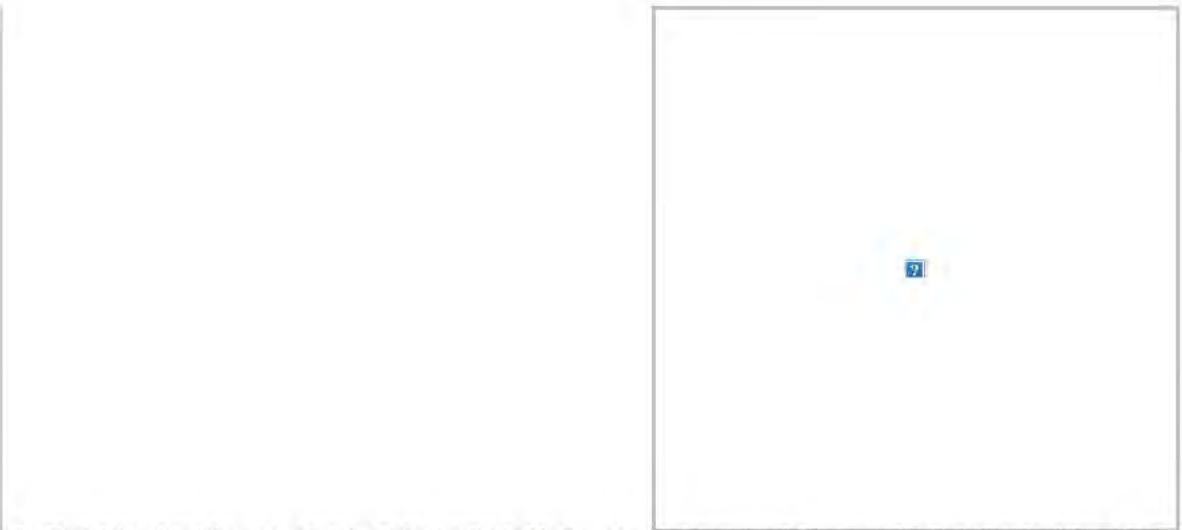
Are you able to please confirm your position (reply email sufficient) as soon as possible so Council can finalise this process.

I'd be happy to chat further with you if you require further clarification of what is proposed and any implications. My direct number is 8375 6667.

Thank you

David Barone
Senior Strategic and Policy Planner | City of Marion
PO Box 21 Park Holme SA 5043





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From: [REDACTED]
Cc: [David Barone](#)
Subject: RE: 62 Seacombe Road, Darlington - Rezoning
Date: Saturday, 18 November 2023 4:25:43 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[Letters Site 2 62 Seacombe Road Darlington.pdf](#)
[Site 2 - Flyer.pdf](#)
Importance: High

Attention: David Barone

Hi David,

Confirming our discussion on Thursday 16/11/2023, I support the rezoning of the portion of the land 62 Seacombe Road, Darlington, (westernmost allotment) from the current Hills Neighbourhood zone to Suburban Activity Centre Zone, to match the remainder of the centre and reflect the commercial nature of the land of 56-62 Seacombe Road Darlington. (refer the letter and site 2 flyer attached)

regards,

[REDACTED]

& on behalf of

[REDACTED]

From: David Barone <david.barone@marion.sa.gov.au>
Sent: Thursday, November 16, 2023 11:32 AM
To: [REDACTED]
Subject: 62 Seacombe Road, Darlington - Rezoning

Hi [REDACTED]

Great to speak to you today about the rezoning. I'm glad you understand the merits of what is proposed and generally support it.

If you can confirm your support via reply email, that is all I need from your end.

Thanks

David Barone
Senior Strategic and Policy Planner | City of Marion
PO Box 21 Park Holme SA 5043



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