

Development Plan Amendment

By the Council

City of Playford

Munno Para Bowls Club Site Development Plan Amendment

The Amendment – *for Approval*

Approved by the Minister responsible for the administration of the
Development Act 1993 pursuant to Section 25 (18), of the *Development
Act 1993*.



Minister's Signature

Date..... 27 JUN 2017

Amendment Instructions Table

Name of Local Government Area: City of Playford

Name of Development Plan: Playford Council Development Plan

Name of DPA: Munno Para Bowls Club Site DPA

The following amendment instructions (at the time of drafting) relate to the Playford Council Development Plan consolidated on 21 April 2016.

Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.

Amendment Instruction Number	Method of Change	Detail what in the Development Plan is to be amended, replaced, deleted or inserted. If applicable, detail what material is to be inserted and where. Use attachments for large bodies of material.	Is Renumbering required (Y/N)	Subsequent Policy cross-references requiring update (Y/N) if yes please specify.
	<ul style="list-style-type: none"> • Amend • Replace • Delete • Insert 			

COUNCIL WIDE / GENERAL SECTION PROVISIONS (including figures and illustrations contained in the text)

Amendments required (Yes/No): **Yes**

General Section – Orderly and Sustainable Development

1.	Insert	After the last dot point in PDC 9: ▪ Concept Plan Map Play/45 – Munno Para Commercial.	N	N
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ZONE AND/OR POLICY AREA AND/OR PRECINCT PROVISIONS (including figures and illustrations contained in the text)

Amendments required (Yes/No): **Yes**

Commercial Zone

2.	Replace	The Commercial Zone with the contents of Attachment A	Y	N
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TABLES

Amendments required (Yes/No): **No**

MAPPING (Structure Plans, Overlays, Enlargements, Zone Maps, Policy Area & Precinct Maps)

Amendments required (Yes/No): **Yes**

Map Reference Table

3.	Insert	After the last entry under Precinct Maps: 'Precinct 50 Munno Para Commercial' and 'Play/17'	N	N
4.	Insert	After the last entry under Concept Plan Maps: 'Munno Para Commercial' and 'Play/45'	N	N

Map(s)

5.	Replace	Zone Map Play/17 with corresponding Map in Attachment B	N	N
6.	Replace	Precinct Map Play/17 with corresponding Map in Attachment C	N	N
7.	Replace	Overlay Map Play/17 with the corresponding Map in Attachment D	N	N
8.	Replace	Concept Plan Map Play/37 with corresponding Map in Attachment E	N	N
9.	Insert	After Concept Plan Map Play/44 the contents of Attachment F	N	N

Attachment A

Commercial Zone

Commercial Zone

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this zone.

OBJECTIVES

- 1 A zone accommodating a range of commercial and business land uses.
- 2 Development that minimises any adverse impacts upon the amenity of the locality within the zone.
- 3 Development in the **Precinct 1 Charlotte Street Commercial** that accommodates small-scale businesses and light industries where people live and work on the same site and where a high standard of building and site development is achieved.
- 4 Development in Precinct 50 Munno Para Commercial that primarily accommodates larger format commercial, bulky goods and office land uses.
- 5 Development that contributes to the desired character of the zone.

DESIRED CHARACTER

The zone will play an important role in accommodating primarily non retail business opportunities to support the future growth areas. Uses will primarily be employment generating activities including but not limited to service trade premises, service industry, bulky goods outlet, small office and motor repair station.

In addition to providing business and employment opportunities the zone will serve as a physical, visual and acoustic buffer between the future residential growth areas and the arterial road corridors and Curtis Road.

Development should display a high quality, attractive design appropriate to the prominent role of the zone on an arterial road corridor and at the interface with adjacent residential areas.

Development should include integrated landscaping design with distinctive vertical elements that provide an attractive setting for both buildings and the associated parking areas.

Where possible, car parking should be provided to the rear of buildings, apart from in **Precinct 50 Munno Para Commercial** where the main parking areas and landscaping may be positioned along the Main North and Curtis Road frontages to soften the visual interface at this prominent intersection.

In addition, development within **Precinct 50 Munno Para Commercial** will provide landscape screening to the Mingari Street and Myall Avenue frontages and screened service and delivery/pick-up areas. Vehicular access to the site will be from appropriately determined locations along Mingari Street and Myall Avenue, will be safe and convenient, and avoid unreasonable interference with the traffic flow in the area. Road intersection upgrades, including but not limited to Curtis Road / Mingari Street intersection may be necessary to support development within this area of the zone. Buildings fronting public areas will have feature entry elements and verandahs to provide shading for patrons.

Development in Precinct 50 Munno Para Commercial may also include limited facilities that would ordinarily be provided in a local activity centre to service the convenience shopping needs of nearby residents and passing traffic on adjacent arterial roads. It is not anticipated and not appropriate that the site should develop to provide facilities and services that would ordinarily be provided in Neighbourhood or higher order activity centres.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- 1 The following forms of development are envisaged in the zone:
 - bulky goods outlet
 - consulting room
 - education establishment in **Precinct 2 Commercial**
 - hospital in **Precinct 2 Commercial**
 - motor repair station in **Precinct 2 Commercial**
 - motor vehicle related business other than wrecking yard
 - office
 - petrol filling station
 - service industry in **Precinct 2 Commercial**
 - small office in **Precinct 2 Commercial**
 - service trade premises
 - shop or group of shops with a gross leasable floor area of 250 square metres or less, except within **Precinct 50 Munno Para Commercial** where a shop or group of shops of 1500 square metres or less is envisaged
 - store
 - warehouse.
- 2 Development listed as non-complying is generally inappropriate.
- 3 Retail development in the zone should not hinder the development or function of any centre zone.
- 4 Except within **Precinct 50 Munno Para Commercial** a shop or group of shops, other than a bulky goods outlet, should have a gross leasable area of 250 square metres or less.

Form and Character

- 5 Development should not be undertaken unless it is consistent with the desired character for the zone.
- 6 Development should be designed to improve the amenity of the locality and streetscape appearance including the use of sound buildings and attractively landscaped sites.
- 7 Development adjacent to Charlotte Street, Smithfield should where possible ensure co-ordinated access points onto Charlotte Street.
- 8 Car parking and storage areas should be screened from public view by a combination of fences, buildings and landscaping.
- 9 Advertising should be limited to displays with the principal purpose of identifying the site to passing motorists on the following basis:
 - (a) information contained on the advertising display should be succinct, legible and readily discernible to passing motorists
 - (b) advertising displays should only incorporate a list of tenancies and/or activities conducted within the site and not be used for product advertising
 - (c) advertising displays should be located near to the principal public access to the site
 - (d) where the display stands more than 1.5 metres above ground level, it should be located a distance not less than its overall height from an adjoining property boundary, other than a boundary to a road
 - (e) no part of the advertising display should overhang any boundary of the site.

- 10 A maximum of one free standing advertisement and/or advertising hoarding should be erected on each site or complex although one additional free standing advertisement and/or advertising hoarding can be erected where the site or complex comprises one of the following:
 - (a) a major road frontage in excess of 100 metres
 - (b) two road frontages onto arterial or collector roads, in which case a maximum of one free standing advertisement and/or advertising hoarding should face each road.
- 11 Advertisements should only cover limited portions of the faces of a building, so that the character and style of the building is not overwhelmed or obscured.
- 12 Moveable business signs should be displayed only where:
 - (a) it is in co-ordination and uniformity with the theme and design of all other advertisements on the subject site or buildings
 - (b) there is only one such advertisement per site or per major road frontage
 - (c) there is no encroachment beyond the boundary alignment of the subject site or into car parking areas
 - (d) the sign has a maximum of 1 square metre in advertisement area per face, and is a maximum of 1 metre in height
 - (e) the sign is to be securely fixed in its intended location during display hours.
- 13 Development in the area on the corner of Frisby and Curtis Road should be in accordance with [Concept Plan Map Play/44 – Angle Vale Bulky Goods Retail](#).
- 14 Development, including land division, should only occur in that portion of the zone shown as 'Infrastructure Precinct F' on [Concept Plan Play/39 – Angle Vale Urban Growth Area Infrastructure](#) once provision is made for the following:
 - (a) intersection treatment on the corner of Frisby and Curtis roads
 - (b) the continuance of a noise barrier part way along the Northern Expressway from the adjoining **Suburban Neighbourhood Zone** to achieve a suitable level of amenity for residential areas.

PRECINCT SPECIFIC PROVISIONS

Refer to the [Map Reference Tables](#) for a list of the maps that relate to the following precincts.

Precinct 1 Charlotte Street Commercial

- 15 Development in the precinct should comprise principally low-scale service industries, stores and businesses where people live and work on the same site.
- 16 Development in the precinct should not create nuisance or detriment to neighbouring residential areas, and promote low-key activities where:
 - (a) all goods handling and fabrication of materials are carried out indoors
 - (b) all delivery and dispatch of goods takes place indoors or to the street frontage of the building and all traffic is directed onto Charlotte Street only
 - (c) the hours of operation are restricted to 8.00 am to 6.00 pm
 - (d) all buildings are well setback from boundary

- (e) residential properties provide:
 - (i) landscaping to improve the appearance of the site
 - (ii) private open space for the associated resident operators
 - (iii) screened storage areas
 - (iv) employee parking.

Precinct 2 Commercial

- 17 A shop (other than a small corner shop or a convenience store servicing daily needs of local workers), industry or office should not be located within the precinct.
- 18 Open area display yards should not be established within the precinct.
- 19 A hotel should be located and orientated to front onto both Curtis Road and a road adjacent the Munno Para wetlands.
- 20 Offices should not be greater than 80 square metres in total floor area.
- 21 Dwellings should only be established where they:
 - (a) are located along the northern boundary of the precinct
 - (b) are designed and located so as to provide a transition between the commercial development within the precinct and residential development to the north, having regard to:
 - (i) minimising impacts of noise
 - (ii) minimising impacts from lightspill
 - (iii) managing impacts and conflicts with traffic movements.

Precinct 50 Munno Para Commercial

- 22 Development in the precinct should primarily accommodate larger-format commercial, bulky goods and office land uses.
- 23 Development of convenience shops, including a supermarket, of a total gross leasable floor space in the precinct of no more than 1500 square metres would be appropriate to service nearby residents and passing traffic.
- 24 Vehicular access to and from the precinct should be provided from Mingari Street and Myall Avenue in a safe and convenient manner that avoids unreasonable impact on the flow of traffic in the area. An additional access point into the precinct from the Main North Road should only be established if it can be demonstrated that the access point is needed, it will not unreasonably obstruct traffic along Main North Road and it can provide safe and efficient vehicular access to the site.
- 25 Development which includes open area display of goods should not occur within the precinct.
- 26 Development of the precinct in the area on the corner of Main North and Curtis Roads should be in accordance with [Concept Plan Map Play/45 – Munno Para Commercial](#).

PROCEDURAL MATTERS

Complying Development

Complying developments are prescribed in Schedule 4 of the Development Regulations 2008.

In addition, [except for development on an allotment containing a State and/or Local Heritage Place identified in \[Table Play/5 - State Heritage Places\]\(#\) or \[Table Play/4 - Local Heritage Places\]\(#\)](#), the following forms of development are designated as complying subject to the conditions contained in [Table Play/1 - Conditions for Complying Development](#) and in the following table:

Form of Development	Conditions of Complying Development
Public service depot Store	<p>Provided it achieves all of the following, it is:</p> <p>(a) located outside of Precinct 2 Commercial and Precinct 50 Munno Para Commercial</p> <p>(b) not located closer to the road boundary than an existing building on the same allotment, or the prescribed setback distance for each road, or portion thereof, for roads listed in 'Column 3' of Table Play/2 - Building Setbacks from Road Boundaries.</p>

Non-complying Development

Development (including building work, a change in the use of the land, or division of an allotment) for the following is non-complying:

Form of Development	Exceptions
Caravan park	
Crematorium	
Dairy	
Dwelling	Except where it is located outside of Precinct 50 Munno Para Commercial and involves a detached dwelling.
Farm building	
Farming	
Fuel depot	
General industry	
Horticulture	
Hospital	Except where it is located within Precinct 2 Commercial .
Intensive animal keeping	
Mining	
Nursing home	
Place of worship	
Pre-school	
Prescribed mining operations	
Residential flat building	
Road transport terminal	

Form of Development	Exceptions
Shop or group of shops	Except where it achieves one of the following: (a) has a gross leasable area of 250 square metres or less (b) the shop is a bulky goods outlet (c) is located within Precinct 50 Munno Para Commercial .
Special industry	
Stadium	
Stock sales yard	
Stock slaughter works	
Waste reception, storage, treatment, or disposal	
Winery	
Wrecking yard	

Public Notification

Categories of public notification are prescribed in Schedule 9 of the *Development Regulations 2008*.

Further, the following forms of development (except where the development is non-complying) are designated:

Category 1	Category 2
Demolition of elements of a heritage place listed in Table Play/5 - State Heritage Places or Table Play/4 - Local Heritage Places , not considered to have heritage value.	Development affecting a heritage place listed in Table Play/5 - State Heritage Places or Table Play/4 - Local Heritage Places where it involves any of the following: (a) building work that materially affects the heritage value or the elements of a heritage place listed in Table Play/5 - State Heritage Places or Table Play/4 - Local Heritage Places (b) land division involving the creation of additional allotments or division within an existing built form (c) a change in use (d) demolition of a Local Heritage Place identified in Table Play/4 - Local Heritage Places , other than where assigned Category 1.

Bulky goods outlet in **Precinct 50 Munno Para Commercial**

Consulting room in **Precinct 50 Munno Para Commercial**

Office in **Precinct 50 Munno Para Commercial**

Petrol filling station in **Precinct 50 Munno Para Commercial**

Shop or group of shops with a gross leasable floor area of 1500 square metres or less in **Precinct 50 Munno Para Commercial**

Attachment B

Zone Map Play/17

The map displays a residential neighborhood with several distinct zones color-coded for identification:

- SAN**: A large orange-shaded area in the upper left.
- SN**: Multiple small pink-shaded areas scattered throughout the map.
- R**: A yellow-shaded area in the lower center.
- Lln**: A light blue-shaded area in the lower center.
- C**: Several green-shaded areas, including a prominent one in the bottom right.

A rectangular area in the center-right is outlined in red and contains the text "SEE ENL MAP Play/38". This area overlaps with the Lln and C zones. Various street names are visible, such as BALLARD RD, SOUTHAN ST, BUCHANAN RD, CRITTENDEN RD, HOOPER RD, BERRYMAN RD, HINSLEY RD, BEAUMONT RD, BALD ST, BLACKHAM CR, CHARTER LCT, MOULDS CR, SAMUEL ST, LUCY ST, MARY ST, JOHN ST, ROSE ST, ANNE ST, JANE ST, QUEEN ST, MORRIS ST, CHARLOTTE ST, MAIN NORTH RD, ORATON CT, BINDUI CT, MALTARR CT, NYENNA CT, KARINGA CR, LULAMA CR, ALAMOONA RD, PERCY LANE, EMPERO WAY, FANFLOWER WAY, ADMIRAL PDE, GOLD ST, KERAI LANE, NOLAN PL, BURSAIA AV, RAMNET CCT, HARMONY LANE, and SREETON RD. Area codes like A8024, A100, A8010, Q8015, Q8016, A9112, A9115, A81, A3, A18, A5, A126, A1888, A479, A488, and A101 are also present. Specific features like "Straightline" and "B.U.P.T.I.S." are noted near certain boundaries.

Zones

C	Commercial
LIn	Light Industry
SAN	Suburban Activity Node
R	Residential
SN	Suburban Neighbourhood
	Zone Boundary

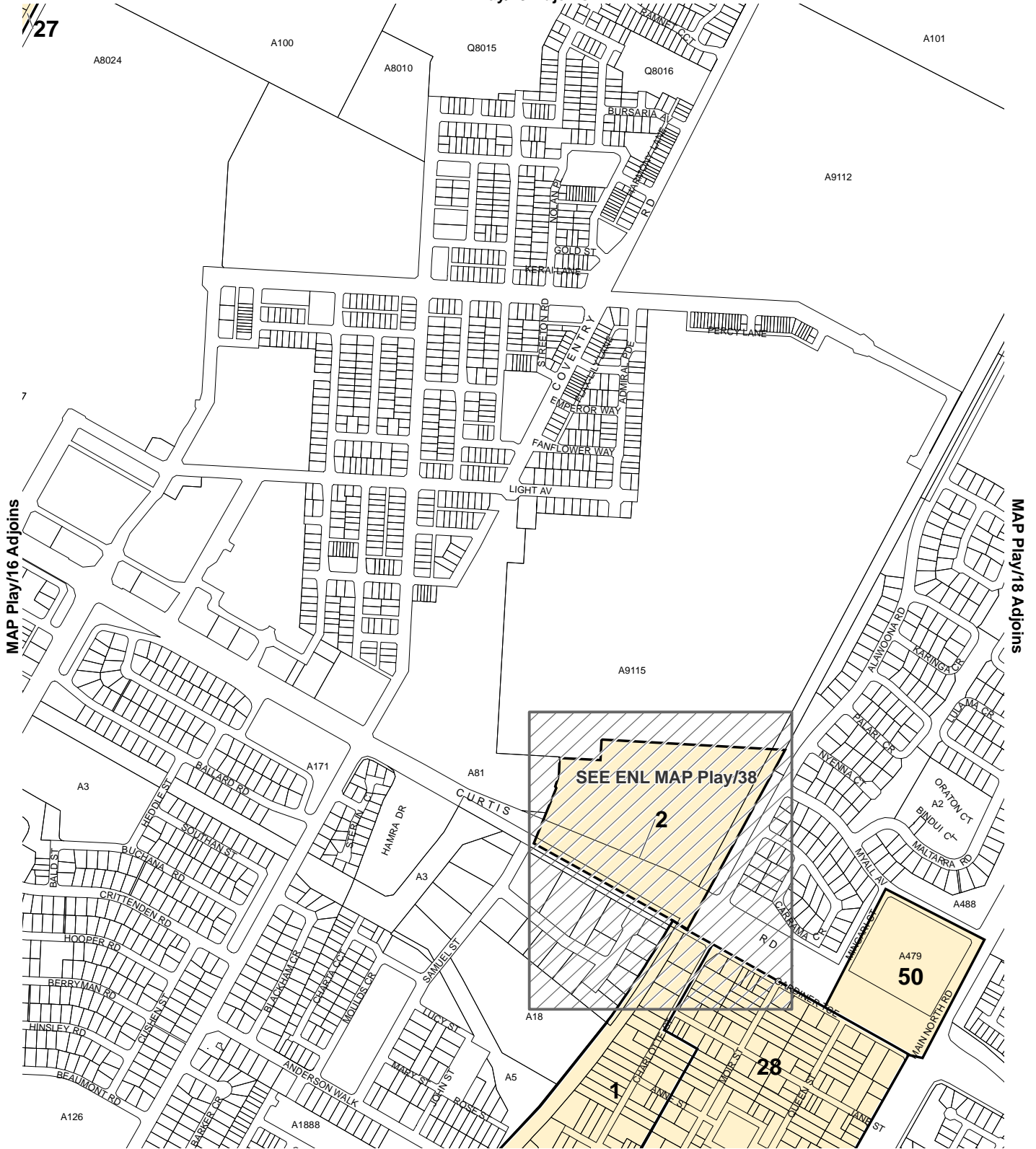


Zone Map Play/17

Attachment C

Precinct Map Play /17

MAP Play/13 Adjoins



See enlargement map for accurate representation.

Lamberts Conformal Conic Projection, GDA94


Precinct

- 1 Charlotte Street Commercial
- 2 Commercial
- 27 Munno Para West Andrews Farm
- 28 Smithfield Township
- 50 Munno Para Commercial

0

500m

Precinct Map Play/17

 Precinct Boundary

PLAYFORD COUNCIL

Attachment D

Overlay Map Play/17 – Affordable Housing

This is a detailed street map of a residential area in Perth, Australia. The map shows a grid of streets and residential lots. Key streets include Hamra Dr, Curtis, and various residential streets like Hamra Dr, Curtis, and various residential streets. The map is color-coded with green for residential areas and yellow for commercial/industrial areas. Key streets include Hamra Dr, Curtis, and various residential streets like Hamra Dr, Curtis, and various residential streets.

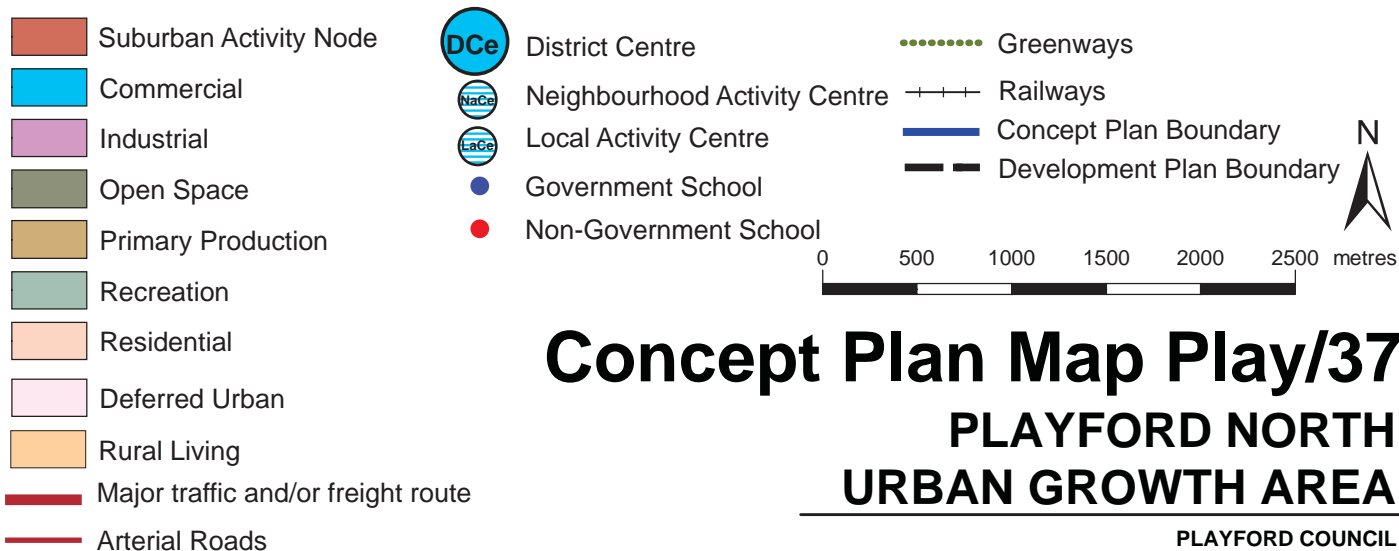
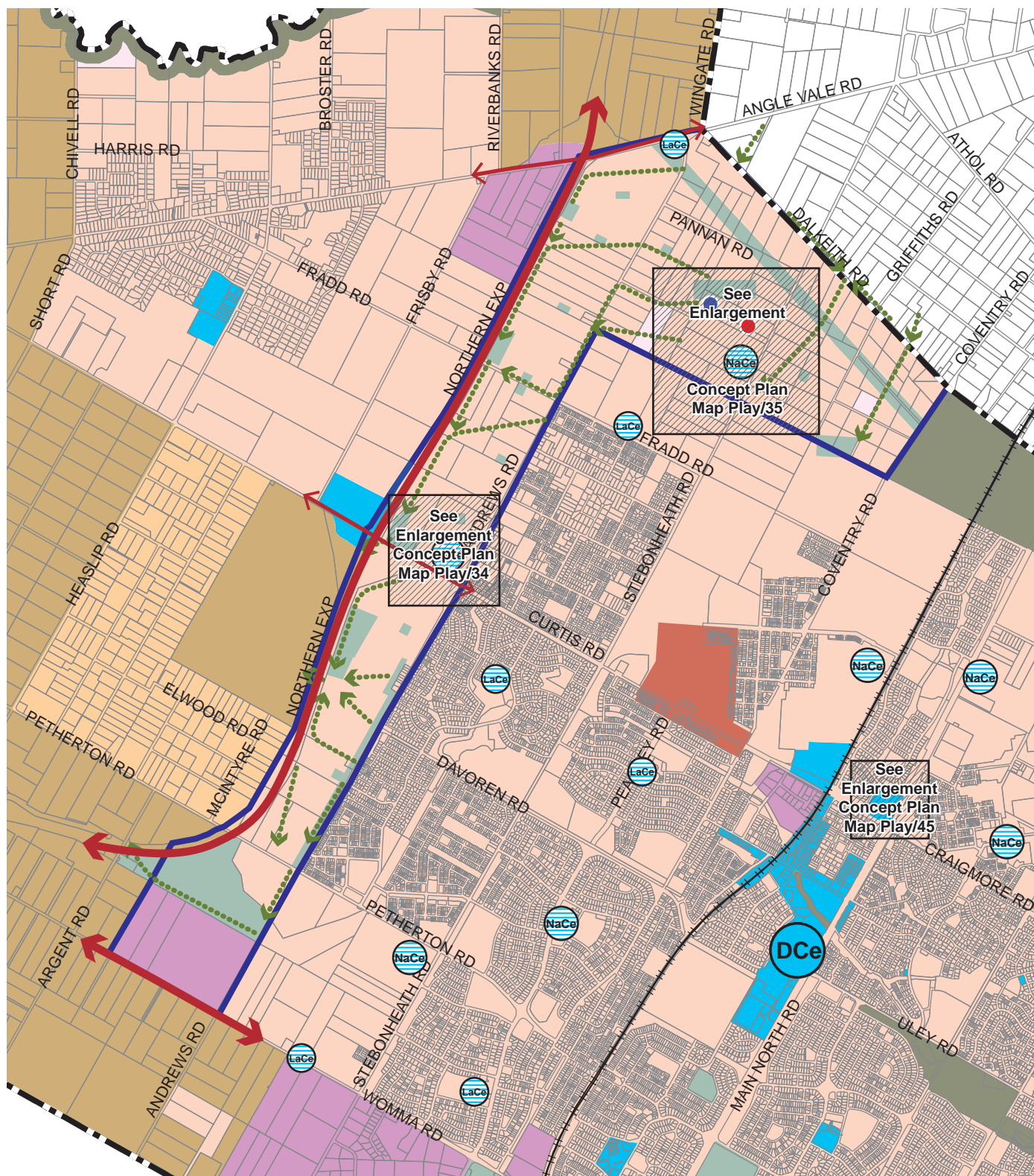
MAP Play/18 Adjoins

 Affordable Housing Designated Area
 Development Plan Boundary

PLAYFORD COUNCIL

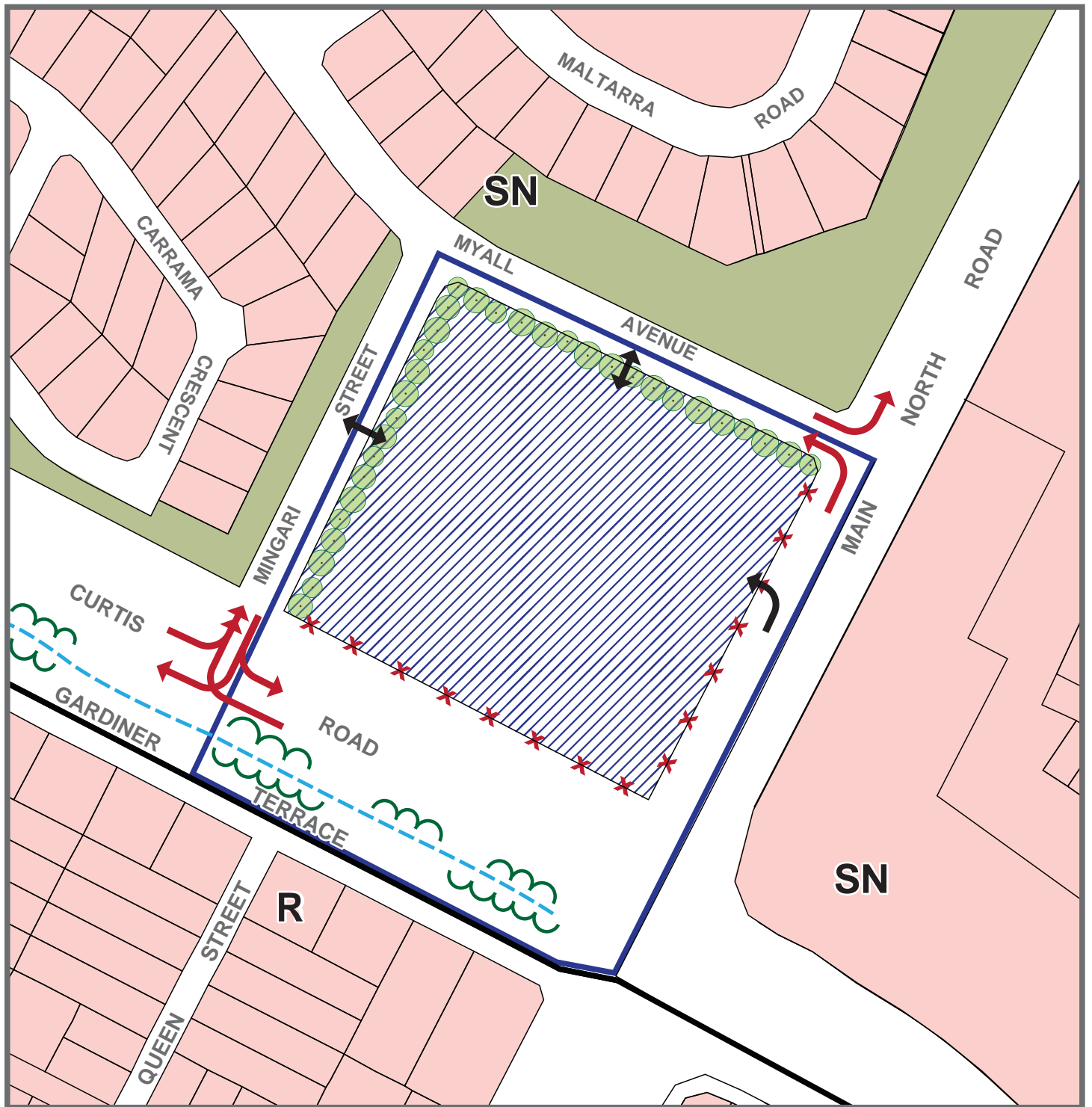
Attachment E

Concept Plan Map Play/37 – Playford North Urban Growth Area













Attachment F

Concept Plan Map Play/45 – Munno Para Commercial



LEGEND

-  Concept Plan Boundary
-  Cadastre
-  Commercial
-  Residential
-  Local Reserve
-  No vehicle access to Curtis Road
restricted access to Main north Road
-  Indicative vehicle access
-  Vehicle turning movements
-  Landscape screening
-  Smith Creek drain

Concept Plan Map Play/45

MUNNO PARA COMMERCIAL

Playford Council

**Munno Para Bowls Club Site
Development Plan Amendment**

Summary of Consultation and Proposed Amendments (SCPA) Report

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Introduction

This report is provided in accordance with Section 25(13) of the Development Act 1993 to identify matters raised during the consultation period and any recommended alterations to the amendment. The report also provides details of the consultation process undertaken by Council.

The SCPA Report should be read in conjunction with the consultation version of the DPA. Where relevant, any new matters arising from the consultation process are contained in this Report.

The Amendment reflects the recommendations of Council contained in this Report.

Consultation

Consultation Process

Statutory consultation with agencies and the public was undertaken in accordance with DPA process C and in accordance with Section 25(6) of the Development Act 1993; Regulations 10 and 11 of the Development Regulations 2008; and the agreed Statement of Intent.

The following Local Member(s) of Parliament were consulted on the DPA:

Jon Gee MP, Member for Napier
Leesa Vlahos MP, Member for Taylor
Hon Tony Piccolo MP, Member for Light
Lee Odenwalder MP, Member for Little Para

Comments were received from Jon Gee MP. No comments were received from the other MPs.

The consultation period ran from 20 October 2016 to 17 November 2016.

Public Notification

Notices were published in the 'The Advertiser' and the Government Gazette on 20 October 2016.

The DPA documents and a fact sheet were available on Council's internet site and also on display at Council's offices at Elizabeth (Civic Centre), Munno Para (Stretton Centre) and Davoren Park (Playford Operations Centre). A copy of the DPA was forwarded to the Department of Planning, Transport and Infrastructure prior to commencement of public consultation.

A letter and fact sheet were posted (by priority mail) to approximately 47 residents /land owners in the area in close proximity to the Munno Para Bowls Club site.

Two community information sessions were held at the Munno Para Bowls Club site on Wednesday 2 November between 3pm and 7pm and on Thursday 3 November between 10am and 1pm, with Council staff available to answer questions.

Public and Agency Submissions

Public Submissions

Two public submissions were received. Key issues raised in the submissions and a brief response are summarised as follows:

(a) Submission from Ms S Watherston (Munno Para resident)

- Ms Watherston raises a number of concerns as summarised below. No changes to the DPA are proposed in response to the submission.
- Concerns are expressed about residents in the whole of Munno Para not being informed about the DPA. The consultation met the requirements of the legislation and Statement of Intent, and provided more than adequate opportunity for community input. Not all residents of Munno Para would be impacted or concerned by the rezoning.
- Concern is expressed that the closure of the Bowls Club will reduce the community services in the immediate area. While the closure will remove the Bowls Club from the area, there will likely be new privately provided services which will be a part of new development on the site.
- The types of services likely to be attracted to the site such as bulky goods, offices or small shops will be unlikely to have an impact significantly beyond the site, particularly given the buffer areas on the adjacent streets.

(b) Submission from Phil Brunning (on behalf of Emmett Property)

- The submission from Phil Brunning supports the fundamentals of the rezoning, but seeks changes which are aimed at making it easier to get development approval for a broader range of shops. Only very minor fine-tuning to the Desired Character statement is proposed in response to the submission.
- The submission advocates the need for greater flexibility in the policies to allow a greater range of retail activities on the site, given that the bulky goods definition excludes some large format retailing like clothing, liquor, luggage and travel items. In particular the submission seeks to make shopping development above 1,500 square metres subject to category 2 notification rather than category 3. The submission also indicates that the changes sought do not seek to usurp the role of designated centres.
- Bulky goods development, although a type of shop, is an envisaged use within the State Government Commercial Zone module and shops greater than 250 square metres other than bulky goods are non-complying. This is generally the position in other parts of the Commercial Zone in the City of Playford.
- The State Government has moved to increase the level of flexibility of zoning across the State to ensure that development is not unreasonably restricted, supported by recommendations from the Australian Government Productivity Commission. However, these have not yet been reflected in changes to the State Government Commercial Zone module and there is not a clear position in this regard from the State for the Commercial Zone.
- Council has sought to ensure reasonable flexibility in the policies for the Commercial Zone at the corner of Curtis Road and Main North Road, while also being conscious to support the role and investment that has already taken place in the network of existing centres. This is particularly important as the catchment of these centres is not fully developed at this point in time as they are on the edge of the Playford growth areas.
- Substantial flexibility has been provided in the policies proposed in the DPA which:

- a. Allows bulky goods, consulting rooms, offices and petrol filling stations as category 1 development, which does not require public notification. It should be noted that the bulky goods definition encompasses a very broad range of activities.
 - b. Allows up to 1,500 square metres of shops (additional to bulky goods) as category 1 development, which does not require any public notification (usually only 250 square metres in a Commercial Zone).
 - c. Enables development applications for shops above 1,500 square metres to be considered on merit and require category 3 notification. This requires public notification beyond the immediate locality and provides for appeal rights to the Environment Resources and Development Court.
- Given the level of flexibility proposed to be provided in the policies for the site, Council is concerned that additional flexibility will create a de-facto centre zone. A centre zone or de-facto centre zone is not favoured for the reasons discussed in the following paragraphs.
- Planning policies provide a degree of certainty for commercial investments, as well as for the community in general. While investors should be clear that zoning is 'not set in stone', commercial investment decisions are quite reasonably and frequently influenced by the zoning of an area and the likely future development in the area and surrounds. Therefore substantial departures from the intent for a Commercial zone, particularly if proposed development is for retail or shopping development above 1,500 square metres, needs to be given serious scrutiny. The Objectives and Principles of Development Control provide guidance that makes it clear that the site is not intended to develop as a significant centre zone.
- Munno Para District Centre, Blakeview Neighbourhood Centre and the centre at Playford Alive were located and zoned with consideration to their ability to conveniently service their catchments. As has been indicated by Deep End consultants (see DPA explanatory statement), the Bowls Club site is not as conveniently located to service more than its immediate area if it were to be developed as a significant activity centre.
- A significant centre, or de-facto centre on the site, would also create larger volumes of traffic than intended for the proposed Commercial Zone. There are concerns that traffic beyond the intent of the Commercial Zone will create difficulties with traffic access and egress.
- It is considered that the Commercial Zone is also one of the best locations for small scale local convenience shopping in the confined section of Munno Para to the east of the railway, and therefore flexibility has been provided in the zone policies to allow up to 1,500 square metres of shops in addition to the bulky goods.
- Retention of Category 3 notification, as proposed in the public consultation draft of the DPA, is considered to be reasonable. Given that the site is a Commercial Zone and not intended as a centre zone, if a proposed development includes shops greater than 1,500 square metres it is also considered reasonable to allow nearby retailers or centre owners to have a say about significant additional shopping development.
- Category 3 notification provides the opportunity for representors, including those with properties which are not necessarily in close proximity. Representors can provide additional expert input to the process, for example expert retail or traffic advice, and are able to appeal to the ERD Court. This is appropriate in circumstances where the zoning policies do not favour the types of activities proposed and where there are potentially substantial implications. It is considered that there are potentially substantial implications for other centres in the area of excessive shopping development on the Bowls Club site.

A report on each submission (summary, comments, and action taken in response to each submission) is included in **Attachment A**.

Agency Submissions

Nine responses were received from agencies including one local Member of Parliament. Two submissions raised matters which are appropriate to be addressed in this summary:

(a) Submission from Department of Planning Transport and Infrastructure

- DPTI seeks improvements in the clarity/wording of several of the policies and raises relatively minor technical matters including mapping but does not raise any substantial issues. A number of minor changes have been made in response to the submission.
- The DPTI submission seeks clarification of the policies in relation to the size of shops in the new Commercial area. In response, it is proposed to remove the distinction between the proposed maximum of 1,500 square metres for shops or groups of shops and the maximum of 1,200 square metres for a supermarket. There is proposed to be one maximum of 1,500 square metres for shops or groups of shops (other than bulky goods) in the precinct.

(b) Jon Gee (MP for Napier)

- The submission suggests that the DPA is not required at this time due to shops/supermarkets and bulky goods already being adequately provided in the district. Supermarkets are not the primary objective for the Commercial Zone (and the area of shops (other than bulky goods) is limited to 1,500 square metres). While there are other sites accommodating bulky goods in the surrounding area, the zone effectively allows for a broad range / mix of commercial activities. Bulky goods development is one of the possible development options.
- The submission has raised concerns about the potential for increases in waiting times for traffic seeking to turn from Mingari Street onto Curtis Road. This is considered to be a valid concern given that there is already queuing at peak times, largely due to traffic backing up on Curtis Road from the intersection with Main North Road beyond the intersection with Mingari Street. The MFY traffic study for the site indicates that the Mingari Street / Curtis Road intersection can readily be upgraded with channelization for left and right turn movements onto Curtis Road. The study also indicates: "In summary, the assessment indicates that there are minimal traffic implications associated with the proposed rezoning of the subject land. Importantly, there would be negligible additional impact on major infrastructure upgrades required as a result of anticipated growth on the road network."
- Relatively minor changes are proposed to policies in the Commercial Zone (Desired Character Statement and PDC 24) as a consequence of a request from DPTI in regard to the concerns raised by Jon Gee on traffic matters. The proposed changes bolster the level of support provided to potential intersection upgrades and seek to avoid unreasonable traffic impacts of the development of the site on traffic flow.
- The State Government has already been made aware of the need to upgrade the intersection of Curtis Road and Main North Road (unrelated to the future development of the Bowls Club site) but this is not currently on the DPTI program. This, in combination with duplication of Curtis Road, would increase the capacity of the intersection and improve access to Curtis Road from Mingari Street.
- There are no additional changes proposed as a consequence of the submission from Jon Gee MP. Additional matters raised are as follows.
- The submission suggests that if not used for residential, community or open space purposes (the zoning does not propose use for these purposes), the site should be used for 'low level' retail and service industries that are of high standard and do not impact on local residents. Council notes that the proposed policies favour what is considered to be 'low level' retail and it is not anticipated that there will be a significant impact on local residents.
- In response to concern expressed about residents having views of concrete walls, Council considers that the residential area is reasonably separate from the site as a consequence of

the buffer areas adjacent both Mingari Street and Myall Avenue. The design of development will also be considered at the development application stage and given the extent of existing Development Plan policies and proposed policies in the DPA there is reasonable guidance to assist in ensuring minimisation of impacts on the local area.

(c) Other submissions

A number of other submissions have been received from government agencies and local government. These are either supportive, make no comment or do not raise significant matters.

A report on each agency submission (summary, comments, and action taken in response to each submission) is included in **Attachment B**.

Review of Submissions and Public Meeting

Copies of all submissions were available for public review from 17 November to COB on 22 November at the Council offices.

Although two public submissions were received no-one requested to be heard and so no public meeting was held.

Additional Matters and Investigations

No additional investigations were undertaken following public consultation.

Additional Consultations

No additional consultation was undertaken given that the extent of changes proposed to the Amendment following consultation are relatively minor.

Timeframe Report

The total estimated time at the Statement of Intent stage from agreement by the Minister to submission of the Amendment for Ministerial approval was 46 weeks. At the time of writing the SCPA the estimated actual timeframe until submission of the Amendment was 51 weeks.

Delay occurred prior to presentation of the DPA to Council for consultation approval. Consultation was undertaken with a prospective developer of the Bowls Club site in order to gain an understanding of any unanticipated issues or concerns in the proposed Development Plan policies from a commercial perspective. This consultation added approximately 8 weeks to the process. See attachment B.

CEO's Certification

The consultation process has been conducted and the final amendment prepared in accordance with the requirements of the Act and Regulations as confirmed by the CEO's Certifications provided in **Attachment D** (Schedule 4A Certificate) and **Attachment E** (Schedule 4B Certificate).

Summary of Recommended Changes to the Amendment following Consultation

The following is a summary of the changes recommended to the Amendment following consultation and in response to public submissions and/or agency comments:

- (a) Replacement of Concept Plan Map/37 with a new concept plan map which adds the new commercial zone (the map shows the network of centres and commercial zones).
- (b) Addition of the word 'primarily' in the desired character statement to indicate that the zone will accommodate 'primarily' non-retail business opportunities.
- (c) Amendment to Principle of Development Control (PDC) 4 to remove repetition and simplify policy.
- (d) Moving PDC 15 and inserting the PDC under the heading Precinct 50 Munno Para Commercial (with consequential renumbering).
- (e) Amendment to PDC 23 (previously PDC 24) to remove reference to a floor area limit of 1,200 square metres for supermarkets. The amended PDC includes a single floor area limit of 1,500 square metres for shops or groups of shops rather than references to two limits.
- (f) Amendment to PDC 24 (previously PDC 25) to improve the policy expression regarding access to the Bowls Club site.
- (g) Amendment to PDC 25 (previously PDC 26) to improve policy expression regarding open display areas.

In addition to the final proposed Amendment Instructions a 'track changes' version of the Amendment has also been provided under separate cover.

Attachment A – Summary and Response to Public Submissions

Report on each public submission received (including summary, comments and action taken in response)

Sub No.	Name and Address	Submission Summary	Comment	Council Response
1)	Ms Sandra Watherston (no address provided) by e-mail	a) Questions why all residents of Munno Para were not informed of the proposed zoning change.	The public consultation was undertaken to provide a reasonable opportunity for those directly affected by the DPA to respond and was undertaken in accordance with the legislation and Statement of Intent.	No change to DPA
		b) Council is removing the last community service from the area and not replacing it with similar services or services beneficial to the neighbourhood.	While it is not likely that Council will provide community services on the site, there is potential for the provision of some other services which may be useful to the local community.	No change to DPA
		c) Concern that the types of activities to be attracted will not benefit local residents and that sale of the site will not benefit the local community.	The activities proposed for the site should not detract from the local area and may be of some benefit to the local community. The decision to fund the sports precinct was taken in the broader interests of the Playford Community.	No change to DPA
		d) Many residents of Munno Para feel that they are being 'left out' and focus being put on new areas. Have to cross Main North road to get milk.	The local centre on Karri Street has closed. It is possible that development on the new Commercial site will provide some services which are useful and accessible for the local population. The DPA cannot address other concerns related to possible inequities between Munno Para and other suburbs,	No change to DPA
2)	Phil Brunning on behalf of Emmett Property	a) In fundamental terms the DPA is supported.	Noted	No change to DPA

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Attachment A — Summary and Response to Public Submissions

		b) Concerned that while the site may not be an appropriate site for conventional retailing suitable provision should be made for shops that may not otherwise sit comfortably within the definition of bulky goods.	The bulky goods definition in the Development Regulations includes a very broad range of activities (19) which are considered to fit within the definition. Additionally, there are other office, commercial, business activities which are indicated by proposed policies as desirable within the area.	No change to DPA
		c) Changes sought do not seek to usurp the role of designated centres but provide for retailing and commercial uses that benefit from location on a major arterial road.	There is a need for care that the precinct does not become a centre by default. The location of centres in northern Playford has been the subject of considerable deliberation and centres are well located /distributed.	No change to DPA
		d) Examples provided in submission include large format clothing liquor, luggage and travel items which do not fit within the bulky goods definition in regulations. No change to DPA	It is understandable that the developer seeks these types of activities, but the regulations consider these to be more in the nature of retail shops. There are also potential concerns about the additional traffic generation that this would entail on this site which has some access limitations.	No change to DPA
		e) Indicates concern that shops greater than 1,500 square metres become subject to category 3 notification rather than category 2.	Category 3 development is appropriate where the development proposed on a site is potentially substantially contrary to the intention of a zone. The site is not intended to accommodate substantial retailing/shops other than bulky goods. Shops or groups of shops beyond 1,500 square metres are considered to be beyond the intent of zone and therefore category 3 notification is an appropriate measure. The zone is proposed as a commercial zone and is not suited as a centre zone. It is not appropriate to allow shopping in addition to the 1,500 square metres proposed by policies without ensuring that appropriate notification has taken place with appeal rights to the ERD Court.	No change to DPA
		f) Suggests several other changes to PDCs and desired character statement.	There is potential for some minor fine tuning of policies.	Make minor adjustment to Desired character statement to indicate that the uses anticipated are primarily non-retail.

Attachment B – Timeframe Report

SCPA Timeframe Report: Process C

The SOI was agreed by the Minister and Council on 21 December 2015, with notification received by Council on 4 January 2016.

Key steps	Period agreed to in SOI	Actual time taken	Reason for difference (if applicable)
Investigations conducted and DPA prepared	30 Weeks	37 Weeks	Draft DPA delayed by extended consultation with potential developer of site.
Agency and public consultation period (report on any delays incurred by agencies)	4 weeks	4 Weeks	N/A
Public Hearing held, submissions summarised and DPA amended in accordance with Council's assessment of submissions. <i>Summary of Consultations and Proposed Amendments</i> submitted to Minister for approval.	12 Weeks	10 Weeks	N/A

Attachment C – Schedule 4A Certificate

Schedule 4A—Certificate—section 25(10)

Certificate of chief executive officer that a Development Plan Amendment (DPA) is suitable for purposes of public consultation

I Mal Hemmerling, as Chief Executive Officer of the City of Playford, certify that the Statement of Investigations, accompanying this DPA, sets out the extent to which the proposed amendment or amendments—

- (a) accord with the Statement of Intent (as agreed between the Council and the Minister under section 25(1) of the Act) and, in particular, all of the items set out in regulation 9 of the Development Regulations 2008; and
- (b) accord with the Planning Strategy, on the basis that each relevant provision of the Planning Strategy that relates to the amendment or amendments has been specifically identified and addressed, including by an assessment of the impacts of each policy reflected in the amendment or amendments against the Planning Strategy, and on the basis that any policy which does not fully or in part accord with the Planning Strategy has been specifically identified and an explanation setting out the reason or reasons for the departure from the Planning Strategy has been included in the Statement of Investigation; and
- (c) accord with the other parts of the Development Plan (being those parts not affected by the amendment or amendments); and
- (d) complement the policies in the Development Plans for adjoining areas; and
- (e) satisfy the other matters (if any) prescribed under section 25(10)(e) of the Development Act 1993.

The following person or persons have provided advice to the Council for the purposes of section 25(4) of the Act:

Paul Johnson MPIA CPP

Date: 10/10/2016



Chief Executive Officer

Attachment D – Schedule 4B Certificate

Attachment E – Schedule 4B Certificate

Schedule 4B—Certificate—section 25(14)(b)

Certificate of chief executive officer that an amendment to a Development Plan is suitable for approval

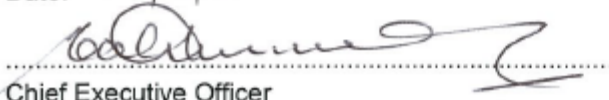
I, Mal Hemmerling, as Chief Executive Officer of the City of Playford, certify, in relation to the proposed amendment or amendments to Playford Council Development Plan as last consolidated on 21 April 2016, referred to in the report accompanying this certificate—

- (a) that the Council has complied with the requirements of section 25 of the Development Act 1993 and that the amendment or amendments are in a correct and appropriate form; and
- (b) in relation to any alteration to the amendment or amendments recommended by the Council in its report under section 25(13)(a) of the Act, that the amendment or amendments (as altered)—
 - (i) accord with the Planning Strategy, on the basis that each relevant provision of the Planning Strategy that relates to the amendment or amendments has been specifically identified and addressed, including by an assessment of the impacts of each policy reflected in the amendment or amendments against the Planning Strategy, and on the basis that any policy which does not fully or in part accord with the Planning Strategy has been specifically identified and an explanation setting out the reason or reasons for the departure from the Planning Strategy has been included in the report of the Council; and
 - (ii) accord with the other parts of the Development Plan (being those parts not affected by the amendment or amendments); and
 - (iii) complement the policies in the Development Plans for adjoining areas; and
 - (iv) satisfy the other matters (if any) prescribed under section 25(14)(b)(ii) of the Development Act 1993; and
- (c) that the report by the Council sets out a comprehensive statement of the reasons for any failure to complying with any time set for any relevant step under section 25 of the Act; and
- (d) that the following person or persons have provided professional advice to the Council for the purposes of section 25(13)(a) of the Act:

Paul Johnson RPIA

Date:

14/6/17


.....
Chief Executive Officer

