

# Special Council Meeting Minutes

**22 August 2018**

## **Our Vision**

*A City which values its heritage, cultural diversity,  
sense of place and natural environment.*

*A progressive City which is prosperous, sustainable  
and socially cohesive, with a strong community spirit.*

---

City of Norwood Payneham & St Peters  
175 The Parade, Norwood SA 5067

Telephone 8366 4555  
Facsimile 8332 6338  
Email [townhall@npsp.sa.gov.au](mailto:townhall@npsp.sa.gov.au)  
Website [www.npsp.sa.gov.au](http://www.npsp.sa.gov.au)



City of  
Norwood  
Payneham  
& St Peters

Page No.

1.	CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 13 AUGUST 2018.....	1
2.	STAFF REPORTS .....	1
2.1	DRAFT 2018-2023 DOG & CAT MANAGEMENT PLAN .....	2
2.2	DRAFT STATE PLANNING POLICIES .....	8
3.	CONFIDENTIAL REPORTS .....	14
3.1	EXTINGUISHMENT OF EASEMENT & RE-ALIGNMENT OF STORMWATER PIPE – JOSLIN.	15
4.	CLOSURE.....	16

**VENUE** Council Chambers, Norwood Town Hall

**HOUR** 7.00pm

**PRESENT**

**Council Members** Mayor Robert Bria  
Cr Lucy Marcuccitti  
Cr Christel Mex  
Cr Connie Granozio  
Cr Kevin Shepherdson  
Cr Mike Stock  
Cr Carlo Dottore  
Cr Kevin Duke  
Cr Evonne Moore  
Cr Garry Knoblauch  
Cr John Minney  
Cr Sue Whittington  
Cr Paul Wormald (entered the meeting at 7.04pm)

**Staff** Mario Barone (Chief Executive Officer)  
Carlos Buzzetti (General Manager, Urban Planning & Environment)  
Lisa Mara (General Manager, Governance & Community Affairs)  
Sharon Perkins (General Manager, Corporate Services)  
Isabella Dunning (Manager, Governance, Legal & Property)  
Eleanor Walters (Manager, Urban Planning & Sustainability)  
Emily Crook (Senior Urban Planner)  
Scott Dearman (Project Manager, Assets)  
David Maywald (Team Leader, Customer & Regulatory Services)  
Tina Zullo (Administration Officer, Governance & Community Affairs)

**APOLOGIES** Cr John Frogley

**ABSENT** Nil

**1. CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 13 AUGUST 2018**

*Cr Knoblauch moved that the minutes of the Special Council meeting held on 13 August 2018 be taken as read and confirmed. Seconded by Cr Dottore and carried unanimously.*

**2. STAFF REPORTS**

## 2.1 DRAFT 2018-2023 DOG & CAT MANAGEMENT PLAN

---

**REPORT AUTHOR:** General Manager, Governance & Community Affairs  
**GENERAL MANAGER:** Chief Executive Officer  
**CONTACT NUMBER:** 8366 4549  
**FILE REFERENCE:** S/04961 S/05246  
**ATTACHMENTS:** A - D

---

### PURPOSE OF REPORT

The purpose of the report is to present the draft 2018-2023 Dog & Cat Management Plan to the Council for endorsement for the purpose of undertaking community consultation.

### BACKGROUND

In 2002, the State Government commissioned a review of the *Dog and Cat Management Act 1995* (the Act). The review was predominantly aimed at promoting responsible dog ownership and encouraging councils to undertake a more proactive role in dealing with animal management issues and in particular with matters relating to dog control.

As part of the review process, the State Government undertook consultation with the Dog and Cat Management Board, Local Government municipalities, the general community and a number of stakeholder groups. Following the consultation which was undertaken, the State Government made a number of significant changes to the Act which came into effect on 1 July 2004.

The implementation of the new Act, has meant significant changes in terms of the responsibilities of Local Government and their obligations in respect to dog control.

One of the main changes which was made to the Act, was the requirement for councils to develop and implement on-going animal management plans which deal with all matters relating to dog and cat management issues.

In respect to the preparation of animal management plans, Section 26A of the Act states the following:

- (1) *Each council must, in accordance with this section, prepare a plan relating to the management of dogs and cats within its area.*
- (2) *A plan of management must include provisions for parks where dogs may be exercised off-leash and for parks where dogs must be under effective control by means of physical restraint, and may include provisions for parks where dogs are prohibited.*
- (3) *A plan of management must be prepared and presented to the Board as follows:*
  - (a) *the first plan must cover a 5 year period and be prepared and presented within 3 years after the commencement of this section;*
  - (b) *subsequent plans must cover subsequent 5 year periods and each plan must be prepared and presented at least 6 months before it is to take effect.*
- (4) *A plan of management must be approved by the Board before it takes effect.*
- (5) *A council may, with the approval of the Board, amend a plan of management at any time during the course of the 5 year period covered by the plan.*

The Council's Urban Animal Management Plan 2007-2012 was adopted by the Council in 2007.

Following a review of the Urban Animal Management Plan in 2012, the Council adopted its current Urban Animal Management Plan 2012-2017.

In accordance with the Act, the Council is required to review its current Urban Animal Management Plan and prepare a new plan for the 2018-2023 period.

Ms Jackson, Director, Harlock Jackson, has been engaged to assist with the review of the current Urban Animal Management Plan and prepare the new draft Dog & Cat Management Plan for the 2018-2023 period.

The first part of the process has involved consultation and engagement with the community regarding the Council's current Urban Animal Management Plan. In addition, members of the community were invited to identify opportunities and ideas for the new Plan for the next five year period.

Following the conclusion of the consultation period and consideration of the submissions which have been received, a new draft Dog & Cat Management Plan has been prepared.

A copy of the draft 2018-2023 Dog & Cat Management Plan is contained within **Attachment A**.

#### **RELEVANT STRATEGIC DIRECTIONS & POLICIES**

Not Applicable.

#### **FINANCIAL AND BUDGET IMPLICATIONS**

Not Applicable.

#### **EXTERNAL ECONOMIC IMPLICATIONS**

Not Applicable.

#### **SOCIAL ISSUES**

Not Applicable.

#### **CULTURAL ISSUES**

Not Applicable.

#### **ENVIRONMENTAL ISSUES**

Not Applicable.

#### **RESOURCE ISSUES**

Not Applicable.

#### **RISK MANAGEMENT**

The development of the draft 2018-2023 Dog & Cat Management Plan ensures the Council meets its legislative responsibilities in respect to responsible pet ownership within the City.

## CONSULTATION

- **Elected Members**

Elected Members have been informed of and contributed to the development of the draft 2018-2023 Dog & Cat Management Plan during two (2) Information Briefings which were held 6 June 2018 and 13 August 2018.

- **Community**

Community consultation and engagement was undertaken from Friday, 15 June to Friday, 6 July 2018. The comments which were received as part of the first stage of community consultation were considered as part of the preparation of the draft 2018-2023 Dog & Cat Management Plan.

Community consultation and engagement will be undertaken for an additional two (2) week period in respect to the draft 2018-2023 Dog & Cat Management Plan.

- **Staff**

General Manager, Urban Services  
Manager, Governance, Legal & Property  
Team Leader, Customer & Regulatory Services.

- **Other Agencies**

Dog & Cat Management Board.

## DISCUSSION

The principal objectives of the draft 2018-2023 Dog & Cat Management Plan are to:

- encourage responsible dog and cat ownership;
- reduce public and environmental nuisance caused by dogs and cats; and
- promote the effective management of dogs and cats (including through the encouragement of the de-sexing of dogs and cats).

The draft 2018-2023 Dog & Cat Management Plan (the draft Plan), has been developed following the review of the current Urban Animal Management Plan, the requirements of the *Dog and Cat Management Act 1995* (the Act), and taking into consideration the comments which were received as part of the community consultation process.

The draft Plan includes strategies to manage dogs and cats and sets out how the Council's responsibilities under the Act will be addressed and discharged.

An extensive promotional campaign was undertaken to advertise the review and invite comments from the community which included the following:

- A4 posters displayed at the Council's Libraries and Norwood Town Hall;
- A3 posters displayed at 12 Council parks / reserves (both dog off-leash areas & dog-free parks);
- corflutes (displayed in five (5) key intersection locations throughout the City);
- notices published in the Eastern Courier & City Messengers; and
- social media posts and advertisements (on Facebook and Instagram).

A copy of the advertising material, as listed above, is contained within **Attachment B**.

An online Feedback Form was also prepared to assist with the consultation period.

A copy of the online Feedback Form is contained within **Attachment C**.

The following submissions were received as part of the consultation period:

- 23 online feedback forms;
- 1 email; and
- 2 letters.

A summary of the comments which have been received is contained within **Attachment D**.

A copy of the submissions which have been received were previously provided to Elected Members via a Memorandum dated 10 August 2018, from the Council's Manager, Governance, Legal & Property.

A summary of the comments which have been received is set out below:

#### Off-leash areas

- 10 respondents were supportive of the current off-leash parks and times, in particular references were made to Hannaford, St Morris and Otto Reserves;
- 1 respondent requested that the off-leash time for the winter period at St Morris Reserve commence at 4.00pm instead of 5.00pm;
- 1 respondent suggested that the off-leash times should be consistent for all reserves;
- 1 respondent advised that the off-leash areas were not working due to interference with other users of the areas, (ie bike riders) and dogs attacking wildlife; and
- some comments relate to dogs not being under effective control.

#### Dog Park(s)

Comments were invited to determine if there was a desire and/or need within the community for the establishment of a dedicated dog park within the City.

Sixteen (16) respondents indicated their support for a dedicated dog park, however they also suggested that a dedicated dog park should be established as a portion of a larger park, not in areas of native wildlife and not adjacent to family/children facilities.

Six (6) respondents indicated that a dedicated dog park should not be established within the City as dog parks become dusty/unpleasant areas, they prevent other people from using those spaces, there is more dog faeces, and the existing off-leash parks are sufficient.

Due to the low level of interest in respect to the establishment of a dedicated dog park and the various issues associated with establishing a dedicated dog park within a City which has limited open space, Ms Jackson has recommended that the issue of establishing a dedicated dog park should be dealt with as a separate matter to the Dog & Cat Management Plan. The review would include an assessment of the need for a dedicated dog park(s), possible locations and be subject to community consultation and engagement with the local community (ie the consultation and engagement would include both dog owners and local residents).

The draft Plan makes provision for this strategic review to be undertaken as a priority following the adoption of the Plan.

It must be noted that whilst some dog owners refer to Otto Park and Hannaford Reserve as "dog parks", the Council has not declared these parks to be a dedicated "dog park". These reserves are off-leash areas only. This was the case within the previous Plan and is the case within the new draft Plan.

Both Otto Park and Hannaford Reserve have become "dog parks" by virtue of the existing fencing and the provision of opening and closing gates.

There is no proposal to change the status of these reserves as part of the new draft Plan. However, as part of the Dog Park review, the status of these reserves as "dog parks" will need to be formalised by the Council.

## Cat Management

The respondents who provided comments regarding the management of cats have suggested that they experience nuisance from neighbour's cats, (ie defecating/urinating in people's yards, disrupting their dogs, killing wildlife) and suggested that cats should be prevented from wandering outside and/or during the evening.

A submission was received from Ms Christine Pierson, President of CATS (Cats Assistance to Sterilise) Incorporated, indicating that CATS does not support the following in respect to the management of cats:

- mandatory microchipping;
- cat collars and tags;
- registration of cats;
- limits on cat numbers;
- confinement of cats;
- use of cat trapping cages;
- compulsory de-sexing; and
- cat legislation generally.

It must be noted that whilst Ms Pierson has advised that CATS does not support mandatory microchipping, registration and compulsory de-sexing of cats, these are in fact legislative requirements as set out in the Dog and Cat Management Act 1995, and are not requirements which have been imposed by the Council.

In her submission, Ms Pierson has also requested that the Council's partnership with CATS (through the provision of an annual grant to assist with the management of certain cat management issues) is continued under the new Plan.

CATS Inc has been managing cats within the City of Norwood Payneham & St Peters for nearly 30 years, with the organisation dedicated to reducing cat numbers and cat related issues. In addition, CATS Inc promotes responsible cat management and works with citizens to ensure they are responsible cat owners.

The Council provides an annual grant to CATS Inc of \$6000.00.

The Council values the assistance which CATS provides to the Council and the community regarding the management of cats and has made provision for the continuation of this arrangement within the draft Dog & Cat Management Plan 2018-2023.

The draft 2018-2023 Dog & Cat Management Plan contains detailed objectives, strategies and key performance measures, which includes the following:

- a review of the existing requirements, procedures and databases which accommodate the recent statewide changes to the Act and the introduction of DACO;
- periodic audits of the DACO database to match registrations and microchip data;
- an education campaign will be implemented that focuses on the the new legislative requirements applying to dogs and cats under the Act;
- an investigation regarding the merits of the Council having its own temporary holding facility that will ensure dogs are kept in accordance with the requirement of the Code of Practice (the review will also consider the merits of having a temporary holding facility for cats);
- a strategic review of the provisions relating to dogs and public parks and reserves including the merits of having a dedicated dog park will be undertaken in Year 2; and
- the services of an animal behaviour specialist will be considered to assist with cases of unresolved barking complaints.

The draft Plan also confirms that the Council is not intending to introduce either cat registration or cat confinement requirements on the basis of the low number of complaints which the Council receives regarding cats.

A focus of the draft Plan will be on education in respect to the requirements which apply to dogs and cats within the City.

In addition, the draft Plan recognises that the Council held a “Dogs Day Out” event during the life of the current Plan. The focus of this event was on education of dog owner responsibilities and the event also provided dog owners with an opportunity to register their dogs. In addition micro chipping of dogs on the day of the event was provided at a subsidised rate.

A similar event has been included as an action within the draft Dog & Cat Management Plan 2018-2023.

## **OPTIONS**

The Council can determine not to endorse the draft 2018-2023 Dog & Cat Management Plan, however as the draft Plan is a legislative requirement and the draft Plan’s contents are based upon both the legislative requirements and the needs and issues which have been identified through the consultation which has been undertaken, it is recommended that the Council endorses the draft 2018-2023 Dog & Cat Management Plan for the purpose of conducting additional community consultation.

## **CONCLUSION**

A report will be presented to the Council following the conclusion of the community consultation process in respect to the draft 2018-2023 Dog & Cat Management Plan and the final plan will be presented for the Council’s adoption.

## **COMMENTS**

The implementation of the objectives and strategies as set out in the draft 2018-2023 Dog & Cat Management Plan will be implemented over the five-year life cycle of the plan.

## **RECOMMENDATION**

1. That the draft 2018-2023 Dog & Cat Management Plan for the purpose of conducting additional community consultation for a period of 14 days be endorsed.
2. The Council notes that, following the completion of the community consultation process, a report will be provided to the Council outlining the results of the consultation and to present the final 2018-2023 Dog & Cat Management Plan for the Council’s consideration.

---

Cr Wormald entered the meeting at 7.04pm.

*Cr Dottore moved:*

1. *That the draft 2018-2023 Dog & Cat Management Plan for the purpose of conducting additional community consultation for a period of 14 days be endorsed.*
2. *The Council notes that, following the completion of the community consultation process, a report will be provided to the Council outlining the results of the consultation and to present the final 2018-2023 Dog & Cat Management Plan for the Council’s consideration.*

*Seconded by Cr Whittington and carried unanimously.*

## 2.2 DRAFT STATE PLANNING POLICIES

---

**REPORT AUTHOR:** Senior Urban Planner  
**GENERAL MANAGER:** General Manager, Urban Planning & Environment  
**CONTACT NUMBER:** 8366 4561  
**FILE REFERENCE:** S/04363  
**ATTACHMENTS:** A - B

---

### PURPOSE OF REPORT

The purpose of this report is to seek the Council's endorsement of a submission to the State Planning Commission on the draft State Planning Policies.

### BACKGROUND

The new *Planning, Development and Infrastructure Act 2016 (PDI Act 2016)*, was passed by Parliament in April 2016. Several minor components of the legislation came into operation on 1 April 2017, while other components of the legislation will be progressively introduced to replace corresponding components of the existing *Development Act 1993*.

The *PDI Act 2016* mandates a suite of State Planning Policies, which have been prepared by the Commission on behalf of the Minister for Planning, which sets out the State's overarching goals and requirements for the new planning system. The State Planning Policies will be used to inform the preparation of other designated planning instruments including Regional Plans and the Planning and Design Code. It is understood that the State Planning Policies will not be used in the development assessment process.

The State Planning Commission, on behalf of the Minister for Planning, has released the draft State Planning Policies for South Australia for consultation, with submissions due by 7 September 2018.

The draft State Planning Policies paper is contained in **Attachment A**.

### RELEVANT STRATEGIC DIRECTIONS & POLICIES

The draft State Planning Policies broadly support all four (4) of the Outcomes contained in the Council's Strategic Management Plan, *CityPlan 2030* - Social Equity, Cultural Vitality, Economic Prosperity and Environmental Sustainability. However, the detail of the policies and the corresponding assessment processes may not result in achieving the type and quality of urban environment which the Council and the community is seeking to achieve.

### FINANCIAL AND BUDGET IMPLICATIONS

The draft State Planning Policies and associated public consultation is being conducted by DPTI. There are no immediate financial or budget implications for the Council resulting from this process.

### EXTERNAL ECONOMIC IMPLICATIONS

The draft State Planning Policies envisage continued urban growth, preservation of a range of employment opportunities, adaptive reuse of buildings, and provision of a planning system addressing a range of state-level social, economic and infrastructure issues. A number of policies focus on the outcome of flexibility in planning policy and reducing 'red tape' to more efficiently support commercial activities and to facilitate development more generally.

### SOCIAL ISSUES

Socially oriented aspirations of the draft State Planning Policies include healthy, walkable and vibrant neighbourhoods, housing choice and affordability, and good design outcomes.

## CULTURAL ISSUES

State Planning Policy number 7 relates to cultural heritage which promotes sensitive and respectful use of culturally and historically significant places and also recognition and protection of indigenous cultural heritage sites. The way in which the planning framework for built heritage has been developed has resulted in a gap in the draft State Planning Policies. This is discussed in more detail in the discussion section of this report and the draft submission contained in **Attachment B**.

## ENVIRONMENTAL ISSUES

The draft State Planning Policies contain a range of environmental policies including biodiversity, climate change, coastal environment, water security and quality, natural hazards and emissions and hazardous activities.

## RESOURCE ISSUES

The release of concurrent planning reform documents and Discussion Papers is consuming staff resources, as staff move from an environment of preparing Council-initiated Development Plan Amendments, to providing input and advocacy on important local planning issues as part of the roll out of the new planning system.

## RISK MANAGEMENT

Not Applicable.

## CONSULTATION

- **Elected Members**

An Information Briefing for Elected Members on the draft State Planning Policies was held on Monday 13 August 2018.

- **Community**

The Department of Planning, Transport and Infrastructure is undertaking consultation on the draft State Planning Policies. The Engagement Plan for the communication and consultation on the State Planning Policies has not been made available and the engagement has not been as extensive as envisaged under the Community Engagement Charter.

Council staff facilitated two informal information sessions with residents association groups, one of which was attended by DPTI staff.

- **Staff**

The Urban Planning & Environment Department has been consulted and contributed to the feedback on the draft policies.

- **Other Agencies**

Resilient East, the Regional Climate Change Adaptation Steering Committee, is making a submission on the State Planning Policies.

## DISCUSSION

The draft State Planning Policies (SPPs) represent the highest order policy document within the new planning system, sitting above Regional Plans and the *Planning and Design Code*. The document contains 16 overarching policies, each containing a ranging number of sub policies, resulting in 99 policies in total. The 16 overarching policies include:

- |                                 |  |
|---------------------------------|--|
| 1. Integrated Planning          | 9. Employment Lands                    |
| 2. Design Quality               | 10. Key Resources                      |
| 3. Adaptive Reuse               | 11. Strategic Transport Infrastructure |
| 4. Biodiversity                 | 12. Energy                             |
| 5. Climate Change               | 13. Coastal Environment                |
| 6. Housing Supply and Diversity | 14. Water Security and Quality         |
| 7. Cultural Heritage            | 15. Natural Hazards                    |
| 8. Primary Industry             | 16. Emissions and Hazardous Activities |

The first five (5) SPPs have been legislated under the *Planning Development and Infrastructure Act 2016* (the Act), while the remaining 11 policies are nominated by the Minister. The SPPs are intended to contain high level statements which seek to indicate the planning priorities for the State. Over time, new SPPs can be added to this suite and existing policies may be amended. The process for amending or creating SPPs, is set out in the Act which requires public consultation in accordance with the Community Engagement Charter.

The draft SPP document includes information supporting and relating to the SPPs including information on how to interpret and apply the SPPs, a snapshot of the State's population, the Principles of Good Planning as outlined in the Act, a suite of targets (most of which are consistent with the *30 Year Plan for Greater Adelaide*) and each SPP is accompanied by supporting contextual information and non-statutory guidance notes. Clarification has been sought from DPTI whether the document as a whole, including this additional information, represents a statutory instrument, or whether the policies in isolation represent the statutory instrument, however this remains unclear.

A draft submission on the SPPs has been prepared for the Council's endorsement, a copy of which is contained in **Attachment B**.

### Process and Consultation

The Community Engagement Charter which was developed by the State Planning Commission and approved in April 2018, determines the extent of consultation which must be undertaken in relation to designated policies, strategies and schemes including the SPPs. A key intent of the Community Engagement Charter is to strengthen community consultation at the policy formulation stage, however the Charter does not have a statutory role in the assessment of development applications. The release of the draft SPPs is the first application of the Community Engagement Charter consultation requirements.

To better understand the scope of community consultation for both the draft SPPs and other elements of the planning reforms process, Council staff have requested a copy of the Communication and Engagement Plan for this State-wide, high level policy document. A Communications and Engagement Plan has been provided on the SA Planning Portal website, however it does not provide specific information on the consultation activities such as which community groups have been consulted.

At the early stages of consultation, it was understood that the draft SPP document had been released on the SA Planning Portal website, the *YourSAy* website and distributed to an email subscriber list, with the Local Government Association and DPTI facilitating a practitioner information session. A 'drop-in' session was held by DPTI in early August, however this was a limited appointment-based session and was booked out. A subsequent 'drop-in' session has now been held, in response to calls for more widespread engagement and accessibility. At the Council's request, DPTI staff also facilitated an information session for representatives of City of Norwood Payneham & St Peters Residents' Associations of South Australia. The specifics of other consultation activities which have been undertaken or programmed remain unclear. As outlined in the attached draft submission, the extent of public consultation undertaken is deficient and inconsistent with the Community Engagement Charter.

## **Application of SPPs and Missing Regional Planning Process**

The Consultation Paper notes that the SPPs do not give more weight to any particular state interest over another, noting that regional and local context must always be considered when integrating state policies at these levels. It also notes that resolving potential conflicts and tensions should be undertaken “*efficiently, transparently and must involve consultation with the community*” – it is assumed this would be achieved through the development of Regional Plans and spatially applying the Planning and Design Code.

Due to timing pressures, new Regional Plans will not be developed until after the spatially applied Code has been developed and come into effect. *The 30 Year Plan for Greater Adelaide* will be used as the interim plan, however *the 30 Year Plan* does not provide the spatial resolution needed to prioritise and guide planning policy as part of replacing Development Plans with the Planning and Design Code. It is unclear how conflicts between policies can be resolved if there is no regional plan to spatially apply these policies or provide clarification on regional priorities.

Under the new system, the Act permits a private entity to initiate an amendment to the *Planning and Design Code* without the support of the relevant council (i.e. a private entity can initiate the equivalent of a Development Plan Amendment without agreement of the council). DPTI staff have advised that this issue is being considered further and it is hoped that the *Planning Development and Infrastructure Regulations* and/or practice directions, can provide appropriate controls around this open process. However, without a detailed regional strategic plan which articulates spatial aspects of the policies, private Code amendments may be inconsistent with the intended strategic direction and priorities of the Council.

## **Balance and weighting of SPPs**

While it is appreciated that the SPPs are a high level document intended to provide high level statements, some of the overarching policies contain significantly greater content and detail than others. This appears to represent an imbalance in the direction of the policies and specificity for some State priorities, with an absence of guidance on other important policy topics. The policy relating to ‘*Cultural Heritage*’ is of most significant concern as it contains two policies, one relating to ongoing use of “*culturally and historically significant places*” and the other policy relating to Indigenous cultural heritage. The definition of what constitutes a historically significant place is not provided and there are no policies relating to preservation of built heritage or current Historic (Conservation) Zones.

Environmental policies such as biodiversity and water security and quality, although containing more content than the ‘*Cultural Heritage*’ policy, also lack detail. By comparison, policies relating to the expected intensity, density and land use distribution in inner metropolitan areas are comprehensive and detailed. The imbalance in detail between SPPs presents a concerning emphasis towards urban infill as a priority over other state issues. A more detailed assessment of the relevant SPPs is contained in the attached draft submission.

## **Definitions and Terminology**

Although the draft SPP document provides a glossary of terms, the draft submission recommends that further definitions and clarifications be provided to ensure the intent of the policies are clear and the terminology is not open to interpretation. This is particularly important, as it is the interpretation that will guide the policy in the Planning and Design Code, against which all development applications will be assessed. While other related documents (such as *the 30 Year Plan for Greater Adelaide*) provide more definitions, it is important to provide definitions alongside the SPPs. The terms ‘density’, ‘rise’ and ‘scale’ are used almost interchangeably in the document and can easily be misinterpreted, as such, these definitions in particular need be clear so that the community is fully informed about the on-the-ground implications of ‘medium density’ policy intent as opposed to ‘low density’, etc.

## Distribution of Density and Land Use

A comparison of some SPPs against others, creates the perception of a greater desire for increased density and infill opportunities in inner metropolitan areas as opposed to preservation of character, heritage and the environment. The policies also strongly emphasise mixed use development over uniform land use zones which separate incompatible uses (i.e. residential zones). Although inner metropolitan areas can accommodate increased density and mixed uses in appropriate areas and precincts, the lack of acknowledgment of low density residential areas in the inner suburbs and the contribution these make to the liveability of areas such as the City of Norwood Payneham & St Peters, is concerning.

The policies have an oversimplified, generic approach to the concepts of mixed use and urban infill opportunities and are proposed without any balancing statements to qualify how these will be applied or managed recognising constraints to their universal application. A subsequent regional planning process in formulating and agreeing with the community and other stakeholders on how such policy will be translated on the ground into regulatory framework, is the critical step in resolving such tensions, however this will not occur in the sequencing of the Planning Reforms process.

The current *30 Year Plan* contains very few maps that could be used to test policy proposals spatially, which represents a concern in how the generalised statements and aspirations of the SPPs will be translated into the Planning and Design Code.

## Flexibility of Policies

Several policies relating to adaptive reuse, affordability, and the distribution of land uses, seek to provide greater flexibility in policy frameworks, in the interests of reducing 'red tape' and encouraging specified economic growth and development outcomes. While current Development Plans include flexibility in respect to issues such as adaptive reuse of heritage listed properties and affordable housing, the heavy emphasis on policy flexibility in the SPPs, without qualifying statements relating to impacts on neighbours, is of notable concern. The new planning system is premised on providing certainty, which applies not only to the development sector, and applicants generally, but to the community, infrastructure providers and other key stakeholders with interests in how our urban areas are developed. Certainty for the community cannot co-exist with almost unfettered flexibility in the assessment of development proposals.

## Analysis of SPPs

For a detailed assessment of relevant SPPs, please refer to the attached draft submission contained in **Attachment B**.

## OPTIONS

The Council has the following options with respect to the draft SPPs:

### Option 1

Following consideration of the draft State Planning Policies and this report, the Council can resolve to endorse the attached draft submission contained in **Attachment B**, with or without any minor changes, as being suitable for submitting to the Commission.

This Option is recommended.

### Option 2

The Council can resolve to make changes to the submission beyond the discussion in this report, before re-considering its suitability for submission to the Commission.

This Option is not recommended, as submissions on the draft State Planning Policies are due by 7 September 2018.

### Option 3

The Council can resolve to not provide a submission to the Commission relating to the draft State Planning Policies.

This Option is not recommended, due to the significance of the State Planning Policies in the setting key directions for the new planning system.

### **CONCLUSION**

The draft SPPs outline the high level planning priorities for the State covering a range of issues. The policies are not individually weighted and are intended to be applied with consideration given to local context. However, an imbalance in the content and detail across issues and a lack of recognition of low density, heritage and built form character which exist in the various inner metropolitan areas, illustrates an 'unbalanced' emphasis on infill, medium density and mixed use development for the inner metropolitan areas. The policies present gaps in areas relating to cultural heritage, character preservation, and how environmental attributes will be protected against increasing pressure for development.

### **COMMENTS**

Nil.

### **RECOMMENDATION**

That the draft submission contained in Attachment B, in relation to the draft State Planning Policies be endorsed and the submission be forwarded to the State Planning Commission.

---

Cr Wormald left the meeting at 7.08pm.

Cr Mex declared a perceived conflict of interest in this matter on the basis that she has initiated social media posts to raise awareness of the consultation process for the draft State Planning Policies and the omission of Historic Conservation Zones. Cr Mex advised that she would remain in the meeting and participate in the decision-making process with an open mind.

Cr Wormald returned to the meeting at 7.09pm.

*Cr Mex moved:*

1. *That the draft submission contained in Attachment B, in relation to the draft State Planning Policies be endorsed and the submission be forwarded to the State Planning Commission.*
2. *That the Chief Executive Officer be authorised to make any minor editorial changes to the submission, if required, before it is forwarded to the State Planning Commission.*

*Seconded by Cr Moore and carried unanimously.*

**3. CONFIDENTIAL REPORTS**

### 3.1 EXTINGUISHMENT OF EASEMENT & RE-ALIGNMENT OF STORMWATER PIPE – JOSLIN

---

**REPORT AUTHOR:** Project Manager - Assets  
**GENERAL MANAGER:** General Manager, Urban Services  
**CONTACT NUMBER:** 8366 4538  
**FILE REFERENCE:** S.04573 & S.04863  
**ATTACHMENTS:** A - D

---

#### RECOMMENDATION 1

That pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the Council orders that the public, with the exception of the Council staff present, be excluded from the meeting on the basis that the Council will receive, discuss and consider:

(k) tenders for the supply of goods, the provision of services or the carrying out of works;

and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

#### RECOMMENDATION 2

Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report and discussion be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed.

Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the minutes be kept confidential until the contract has been entered into by all parties to the contract.

---

*Cr Duke moved:*

*That pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the Council orders that the public, with the exception of the Council staff present [Chief Executive Officer, General Manager, Governance & Community Affairs, General Manager, Urban Planning & Environment, General Manager, Corporate Services, Project Manager, Assets and Administration Officer, Governance & Community Affairs], be excluded from the meeting on the basis that the Council will receive, discuss and consider:*

*(k) tenders for the supply of goods, the provision of services or the carrying out of works;*

*and the Council is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.*

*Seconded by Cr Stock and carried.*

*Cr Stock moved:*

*Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report and discussion be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed.*

*Under Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the minutes be kept confidential until the contract has been entered into by all parties to the contract.*

*Seconded by Cr Shepherdson and carried unanimously.*

---

**4. CLOSURE**

There being no further business, the Mayor declared the meeting closed at 8.02pm.

\_\_\_\_\_  
**Mayor Robert Bria**

**Minutes Confirmed on** \_\_\_\_\_  
(date)